The Tacoma City Council, at its regular City Council meeting of August 22, 2023, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

**Resolution No. 41260**
A resolution appointing and reappointing individuals to the Tacoma Creates Advisory Board.  
[Susan Haigh, Interim City Clerk; Bill Fosbre, City Attorney]

**Resolution No. 41261**
A resolution appointing and confirming Anita Gallagher to the Tacoma Public Utility Board to fill an unexpired term, to expire June 30, 2026.  
[Deputy Mayor Walker and Council Members Bushnell, Hines, and Rumbaugh]

**Resolution No. 41262**
A resolution awarding a contract to Reed Trucking & Excavating, Inc., in the amount of $3,896,692.00, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of $4,481,195.80, budgeted from the Streets Initiative and Surface Water funds, for a grind and overlay of the roadway surface along all existing segments, storm sewer upgrades, catch basin install and maintenance, ADA ramps, new street trees, and residential sidewalk replacements - Specification No. PW23-0051F.  
[Josh Lauer, Project Manager; Josh Diekmann, P.E. PTOE, Interim Director, Public Works; Michael P. Slevin III, P.E., Director, Environmental Services]

**Resolution No. 41263**
A resolution authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with AVA 200 LLC, for the development of 171 multi-family market-rate rental housing units and eight live/work units, located at 4218 South Steele Street, in the Tacoma Mall Mixed-Use Center.  
[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

**Substitute Ordinance No. 28907**
An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to implement rates of pay and compensation for nonrepresented classifications, to reflect the organizational structure.  
[Kari L. Louie, Assistant Director; Shelby Fritz, Director, Human Resources]
Ordinance No. 28908
An ordinance amending Chapter 8.30A of the Municipal Code, relating to Chronic Public Nuisance, by amending Section 8.30A.020, entitled “Definitions”, to add multiple state law crimes and to include violations of the City’s Rental Housing Code to the definition of a nuisance activity, and by amending Section 8.30A.040, entitled “Correction agreement”, to add an execution deadline.
[Keith Echterling, Deputy City Attorney; Avery Moore, Police Chief]
RESOLUTION NO. 41260

BY REQUEST OF COUNCIL MEMBERS BLOCKER, BUSHNELL, AND DIAZ

A RESOLUTION relating to committees, boards, and commissions; appointing and reappointing individuals to the Tacoma Creates Advisory Board.

WHEREAS vacancies exist on the Tacoma Creates Advisory Board, and

WHEREAS, at its meeting of August 8, 2023, the Economic Development Committee reviewed applicants and recommended the appointment and reappointment of individuals to said board, and

WHEREAS, pursuant to City Charter Section 2.4, the persons named on Exhibit “A” have been nominated to serve on the Tacoma Creates Advisory Board;

Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That those nominees to the Tacoma Creates Advisory Board, listed on Exhibit “A,” are hereby confirmed and appointed or reappointed as members of such board for such terms as are set forth on the attached Exhibit “A.”

Adopted ______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Chief Deputy City Attorney

Req. #23-0826
EXHIBIT “A”

TACOMA CREATES ADVISORY BOARD

Appointing Ava Sims to the “Youth” position to a one-year term, effective September 1, 2023, to expire June 30, 2024.

Reappointing Sheree Cooks to the “District No. 4” position to a three-year term, to expire August 31, 2026.

Reappointing Brian Robinson to the “Arts” position to a three-year term, to expire August 31, 2026.

Reappointing Allison Campbell to the “Heritage” position to a three-year term, to expire August 31, 2026.

Reappointing Amanda Figueroa to the “Science” position to a three-year term, to expire August 31, 2026.
RESOLUTION NO. 41261

BY REQUEST OF DEPUTY MAYOR WALKER, AND COUNCIL MEMBERS
BUSHNELL, HINES, AND RUMBAUGH

A RESOLUTION relating to committees, boards, and commissions; appointing
Anita Gallagher to the Tacoma Public Utility Board.

WHEREAS a vacancy exists on the Tacoma Public Utility Board, and

WHEREAS, pursuant to City Charter Sections 2.4 and 4.8, the Mayor is
required to appoint the members of the Tacoma Public Utility Board, which
must be confirmed by a majority of the City Council, and

WHEREAS, at its meeting of August 15, 2023, the Government
Performance and Finance Committee reviewed applications, interviewed the
candidates, and recommended to the Mayor the appointment of
Anita Gallagher to the Tacoma Public Utility Board, and

WHEREAS the Mayor accepts the recommendation of the Committee
and forwards the appointment of Anita Gallagher to serve on the Tacoma
Public Utility Board, subject to confirmation by the City Council; Now,

Therefore,
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That Anita Gallagher is hereby confirmed and appointed as a member of the Tacoma Public Utility Board to fill an unexpired term, effective August 22, 2023, to expire June 30, 2026.

Adopted _______________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
A RESOLUTION related to the purchase of materials, supplies or equipment, and the furnishing of services; authorizing the execution of a contract with Reed Trucking & Excavating, Inc., in the amount of $3,896,692.00, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of $4,481,195.80, budgeted from the Streets Initiative and Surface Water funds, for a grind and overlay of the roadway surface along all existing segments, storm sewer upgrades, catch basin install and maintenance, ADA ramps, new street trees, and residential sidewalk replacements, pursuant to Specification No. PW23-0051F.

WHEREAS the City has complied with all applicable laws and processes governing the acquisition of those supplies, and/or the procurement of those services, inclusive of public works, as is shown by the attached Exhibit “A,” incorporated herein as though fully set forth, and

WHEREAS the Board of Contracts and Awards has concurred with the recommendation for award as set forth in the attached Exhibit “A”; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the Council of the City of Tacoma concurs with the Board of Contracts and Awards to adopt the recommendation for award as set forth in the attached Exhibit “A.”

Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Reed Trucking & Excavating, Inc., in the amount of $3,896,692.00, plus applicable taxes, plus a 15 percent contingency, for a cumulative total of $4,481,195.80, budgeted from the Streets Initiative and Surface Water funds, for a grind and overlay of the roadway surface along all existing segments,
storm sewer upgrades, catch basin install and maintenance, ADA ramps, new street trees, and residential sidewalk replacements, pursuant to Specification No. PW23-0051F, consistent with Exhibit “A.”

Adopted ______________________

_____________________________
Mayor

Attest:

_____________________________
City Clerk

Approved as to form:

_____________________________
Deputy City Attorney
RESOLUTION NO. 41263

A RESOLUTION relating to the multi-family property tax exemption program; authorizing the execution of a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with AVA 200 LLC, for the development of 171 multi-family market-rate rental housing units and eight live/work units, to be located at 4218 South Steele Street, in the Tacoma Mall Mixed-Use Center.

WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of Washington, designated several Residential Target Areas for the allowance of a limited property tax exemption for new multi-family residential housing, and

WHEREAS the City has, through Ordinance No. 25789, enacted a program whereby property owners in Residential Target Areas may qualify for a Final Certificate of Tax Exemption which certifies to the Pierce County Assessor-Treasurer that the owner is eligible to receive a limited property tax exemption, and

WHEREAS AVA 200 LLC is proposing to develop 171 new market-rate rental housing units to consist of:

<table>
<thead>
<tr>
<th>Number of Units</th>
<th>Type of Unit</th>
<th>Average Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>Market Rate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td>Studio</td>
<td>455 Square Feet</td>
</tr>
<tr>
<td>70</td>
<td>One bedroom, one bath</td>
<td>575 Square Feet</td>
</tr>
<tr>
<td>53</td>
<td>One bedroom, one bath</td>
<td>731 Square Feet</td>
</tr>
<tr>
<td>33</td>
<td>Two bedroom, one bath</td>
<td>934 Square Feet</td>
</tr>
</tbody>
</table>

as well as eight live/work units, and 129 on-site residential parking stalls, and

WHEREAS the Director of Community and Economic Development has reviewed the proposed property tax exemption and recommends that a conditional property tax exemption be awarded for the property located at 4218 South Steele
Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit “A”; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of eight years, to AVA 200 LLC, for the property located at 4218 South Steele Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit “A.”

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing Eight-Year Limited Property Tax Exemption Agreement with AVA 200 LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted ________________

__________________________
Mayor

Attest:

__________________________
City Clerk

Approved as to form:

__________________________
Deputy City Attorney

Legal description approved:

__________________________
Chief Surveyor
Public Works Department
EXHIBIT “A”

PROJECT DESCRIPTION

<table>
<thead>
<tr>
<th>Number of Units</th>
<th>Type of Unit</th>
<th>Average Size</th>
<th>Expected Rental Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>Studio</td>
<td>455 Square Feet</td>
<td>$1515</td>
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<tr>
<td>70</td>
<td>One bedroom, one bath</td>
<td>575 Square Feet</td>
<td>$1650</td>
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<tr>
<td>53</td>
<td>One bedroom, one bath</td>
<td>731 Square Feet</td>
<td>$1795</td>
</tr>
<tr>
<td>33</td>
<td>Two bedroom, one bath</td>
<td>934 Square Feet</td>
<td>$2600</td>
</tr>
</tbody>
</table>

This project will also provide eight live/work units, and 129 on-site residential parking stalls.

LEGAL DESCRIPTION

Tax Parcel: 4647000571

Legal Description:

LOTS 1 TO 6, INCLUSIVE, BLOCK 14, AND LOTS 1 TO 6, INCLUSIVE, BLOCK 17, HOUGHTON’S ADDITION TO THE CITY OF TACOMA, WASHINGTON TERRITORY, ACCORDING TO THE PLAT THEREOF, Recorded in Volume 4 of Plats, Page 3, Records of Pierce County, Washington; TOGETHER WITH THAT PORTION OF SOUTH 42ND STREET ABUTTING SAID BLOCK 14 AND ATTACHED THERETO BY OPERATION OF LAW, AS VACATED BY THE CITY OF TACOMA ORDINANCE NO. 6757 AND PASSED MARCH 13, 1918, AS DISCLOSED BY INSTRUMENT RECORDED MAY 21, 1919 UNDER RECORDING NUMBER 524589;

ALSO, TOGETHER WITH THAT PORTION OF SOUTH HOUGHTON WAY LYING BETWEEN LOTS 6 AND 8 IN BLOCKS 14 AND 17, HOUGHTON’S ADDITION TO THE CITY OF TACOMA, AND ATTACHED TO SAID PREMISES BY OPERATION OF LAW, AS VACATED BY CITY OF TACOMA ORDINANCE NO. 18437, RECORDED DECEMBER 11, 1967, UNDER RECORDING NUMBER 2218620; ALSO, TOGETHER WITH THAT PORTION OF LOT 4, PIERCE COUNTY SHORT PLAT NUMBER 8212010098, ACCORDING TO THE PLAT THEREOF RECORDED DECEMBER 1, 1982, RECORDS OF PIERCE COUNTY AUDITOR, MORE PARTICULARLY DESCRIBED AS FOLLOWS;
BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 4; 
THENCE ALONG THE WEST LINE OF SAID LOT 4 NORTH 00°20’30” 
WEST 256.00 FEET; THENCE NORTH 89°41’18” EAST 100.00 FEET; 
THENCE SOUTH 00°22’24” EAST 256.00 TO THE SOUTH LINE OF SAID 
LOT 4; THENCE ALONG SAID SOUTH LINE SOUTH 89°41’16” WEST 
100.14 FEET TO THE TRUE POINT OF BEGINNING; 
(ALSO KNOWN AS PARCEL ‘A’ OF CITY OF TACOMA BOUNDARY LINE 
ADJUSTMENT RECORDED UNDER RECORDING NO. 9107030097.) 
EXCEPTING THEREFROM THAT PORTION DEEDED TO THE CITY OF 
TACOMA FOR ADDITIONAL RIGHT OF WAY BY RIGHT OF WAY DEED 
NO. 7367 AND RECORDED ON JULY 31, 2017 UNDER RECORDING NO. 
201707311075, RECORDS OF PIERCE COUNTY AUDITOR; 

SITUATE IN THE CITY OF TACOMA, COUNTY OF PIERCE, STATE OF 
WASHINGTON.
AN ORDINANCE relating to pay and compensation; amending Chapter 1.12 of the Tacoma Municipal Code relating to the Compensation Plan, to implement rates of pay and compensation for nonrepresented classifications, to reflect the organizational structure.

WHEREAS Substitute Ordinance No. 28862, passed on December 13, 2022, provided for the implementation of a new compensation structure for nonrepresented employees, which was implemented effective January 2, 2023, and

WHEREAS as part of the implementation process, the City provided for an appeal process for employees who did not agree with their new classification in the new compensation structure, and

WHEREAS the City has determined a need to make refinements to the structure by adding new classifications, as well as other changes as a result of this appeal review process, and

WHEREAS one of the impacts of the classification and compensation study implementation approach included the placement of tenured, nonrepresented employees at the lower end of the salary range (where new hires may be placed), and

WHEREAS a determination was made to adjust the steps of those employees to more closely align with the length of their employment in a classification or position, up to a maximum placement of Step 5, and

WHEREAS the ordinance will also provide authority for the Human Resources Director to approve additional step increases to address compression issues and/or to address specific tenure-based inequities, and

WHEREAS additional changes include: (1) an increase to the pay range for four classifications, (2) a decrease in the pay range for one classification, (3) the
creation of eleven new nonrepresented classifications, (4) the deletion of 14
classifications that are no longer needed, and (5) a title change for two
classifications, and

WHEREAS additionally, the ordinance clarifies that step increases for the
classifications of City Manager and Director of Utilities are not automatic, and makes
changes to the classification codes that begin with the letter “O” to avoid possible
data entry errors; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Section 1.12.031 of the Tacoma Municipal Code (“TMC”) is
hereby amended, effective September 25, 2023, to read as follows:

1.12.031 Salary range – Increases for nonrepresented classifications.
The salary ranges are intended to furnish administrative flexibility in recognizing individual differences
between positions allocated to the same class in the classified service and for appointive positions and in
providing employee incentives and rewarding employees for meritorious service. The following shall be
the general policy with respect to the use of the pay steps within salary ranges:

A. The minimum rate of pay for a class shall be paid to any person on their original appointment to a
position except when, as determined by the appointing authority and approved by the Human Resources
Director, the employee possesses exceptional qualifications, or exceptional market conditions exist
warranting employment at a higher step in the pay range; provided, that money is in the budget, as
provided in Section 1.12.070.

B. Effective January 2, 2023, the basic salary range shall consist of full steps.

1. For nonrepresented employees hired January 1, 2023 or later, step increases shall be considered upon
completion of a 12-month period and annually thereafter.

a. For nonrepresented employees hired before January 1, 2023, step increases shall be considered upon
completion of a six-month period and annually thereafter.

2. Step increases shall consist of one full step.

a. If a step increase is withheld, written notice shall be given to the employee and the Human Resources
Director at least ten days prior to the effective date of the step increase.

b. An employee not receiving a full step increase shall not thereafter be entitled to any further step
increases in that position except upon the specific recommendation of the appointing authority. Such
further step increases, upon specific recommendation of the appointing authority, may be made to any
higher step in the range for which the employee would have qualified.

c. The Human Resources Director may approve additional step increases to address identified
compression issues.
d. As part of the 2023 Classification and Compensation Study implementation, the Human Resources Director may approve additional step increases in order to address specific tenure-based inequities, effective September 25, 2023.

e. The classifications of City Manager and Director of Utilities are comprised of all non-automatic steps, with progression based on market and/or an executive performance appraisal conducted by the appropriate hiring authority.

3. For purposes of computing the length of time for eligibility for step increases:

a. Upon the request of the department concerned and upon approval of the Human Resources Director, the period of all leaves of absence without pay shall be excluded, provided that military leave, pursuant to TMC 1.12.260, shall not be excluded from the time computed.

b. All employees granted leaves of absence without pay in excess of 15 calendar days, except for military leaves as above stated, shall have a period of time equal to the total leave without pay added to the annual time for the further increases.

4. All step increases are subject to the availability of funds. Salary increases or decreases resulting from the adjustment of salary ranges in accordance with Section 1.12.021 shall not prevent within-range step increases in accordance with this section.

If any portion of this section conflicts with any other portion of the Tacoma Municipal Code, it is intended that this provision controls.

Section 2. That Section 1.12.355 of the TMC is hereby amended, effective August 28, 2023, to read as follows:

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<tr>
<th>Code</th>
<th>A</th>
<th>Job Title</th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
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<th>6</th>
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<tr>
<td>O0010</td>
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<td>Client Technology Support Specialist</td>
<td>34.98</td>
<td>36.72</td>
<td>38.56</td>
<td>40.49</td>
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<td>46.87</td>
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<td>59.68</td>
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<td>39.55</td>
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<td>43.45</td>
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<td>47.90</td>
<td>50.30</td>
<td>52.81</td>
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<td>Master Control Programmer</td>
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<tr>
<td>Code</td>
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<td>Job Title</td>
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<td>2</td>
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<td>36.72</td>
<td>38.56</td>
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<td>44.64</td>
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<tr>
<td>N0010</td>
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<td>Client Technology Support Specialist</td>
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<td>36.72</td>
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<td>40.49</td>
<td>42.51</td>
<td>44.64</td>
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Section 3. That Section 1.12.355 of the TMC is hereby amended, effective August 28, 2023, to read as follows:

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Section 4. That Section 1.12.355 of the TMC is hereby amended, effective August 28, 2023, to read as follows:

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</table>
Section 5. That Section 1 is effective September 25, 2023, and Sections 2, 3, and 4 are effective August 28, 2023.

Passed ____________________

______________________________
Mayor

Attest:
______________________________
City Clerk

Approved as to form:

______________________________
City Attorney
ORDER NO. 28908

AN ORDINANCE relating to public safety; amending Chapter 8.30A of the Tacoma Municipal Code relating to Chronic Public Nuisance by amending Section 8.30A.020, entitled “Definitions,” to add multiple state law crimes and to include violations of the City’s Rental Housing Code to the definition of a “Nuisance activity,” and by amending Section 8.30A.040, entitled “Correction agreement,” to add an execution deadline.

WHEREAS the City currently defines “nuisance activity” in the context of the Chronic Public Nuisance code at Tacoma Municipal Code (“TMC”) Section 8.30A.020 to include various violations of state and City law, and

WHEREAS a property can be deemed a chronic nuisance property when it amasses a specified number of nuisance activities within a defined timeframe, and

WHEREAS the current list of qualifying nuisance activities does not adequately capture or include certain criminal conduct that otherwise affects and impacts the surrounding community, and

WHEREAS the current list of qualifying nuisance activities also does not include violations of the City’s Rental Housing Code at TMC Chapter 1.95, and

WHEREAS while Chapter 8.30A of the TMC requires a correction agreement to be entered when a property is deemed a chronic nuisance property, the code does not currently require a specified execution deadline for such agreement, and

WHEREAS specifically requiring a deadline for when a required correction agreement must be entered will strengthen the administrative efficiency and application of this code provision, and
WHEREAS amending the Chronic Public Nuisance code to expand the list of qualifying nuisance activities will help facilitate application of this code to properties that may currently fall outside the purview of the code’s reach, and

WHEREAS the City Council intends that City staff continue, to the extent possible, to work in concert with chronic nuisance property owners and managers to provide any education, resources, community contacts, and assistance that is available, feasible, and relevant, to the extent possible, to attempt to assist the chronic nuisance property owners and managers in ameliorating the conditions that did or could give rise to declaring a property a chronic nuisance property; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That Chapter 8.30A of the Tacoma Municipal Code is hereby amended, as set forth in the attached Exhibit “A.”
Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed __________________________

______________________________
Mayor

Attest:

______________________________
City Clerk

Approved as to form:

______________________________
Deputy City Attorney
EXHIBIT “A”

CHAPTER 8.30A
CHRONIC PUBLIC NUISANCE

Sections:
8.30A.010 Scope and purpose.
8.30A.020 Definitions.
8.30A.030 Declaration of chronic nuisance property and procedures.
8.30A.040 Correction agreement.
8.30A.050 Enforcement.
8.30A.060 Additional remedies.
8.30A.070 Appeals to the Hearing Examiner.
8.30A.080 Successive owners liable.
8.30A.090 Joint and several liability.
8.30A.100 Severability.

** **

8.30A.020 Definitions.

** **

F. “Nuisance activity” includes a violation for any of the following:

** **

33. Weapons, TMC 8.66;

34. Possession of stolen vehicle, RCW 9A.56.068;

35. Possessing stolen property, RCW 9A.56.140 – RCW 9A.56.170;

36. Possessing a stolen firearm, RCW 9A.56.310;

37. Trafficking in stolen property in the first degree, RCW 9A.82.050;

38. Trafficking in stolen property in the second degree, RCW 9A.82.055;

39. Residential Housing Code, TMC 1.95;

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

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

** **
8.30A.040 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, within 30 days of the required initial meeting under TMC 8.30A.030(B)(4).

B. The correction agreement shall include the following:

***

***