

## **SUMMARY and FISCAL NOTE**

<b>Department:</b>	<b>Dept. Contact:</b>	<b>CBO Contact:</b>
Mayor's Office	Tim Burgess	Adam Schaefer

### **1. BILL SUMMARY**

**Legislation Title:** AN ORDINANCE relating to chronic nuisance properties; allowing, under certain circumstances, an off-property nuisance activity to count toward determining that a property is a chronic nuisance; increasing penalties; clarifying the City's remedies relating to chronic nuisance properties; amending Sections 10.09.010, 10.09.030, 10.09.050, 10.09.060, and 10.09.080 of the Seattle Municipal Code.

**Summary and Background of the Legislation:** This legislation amends Ordinance 123188, commonly referred to as the Chronic Nuisance Properties Ordinance (codified as Chapter 10.09 of the Seattle Municipal Code), by (1) adding liquor violations, possession or sale of stolen property, and civil violations related to health and safety to the list offenses that can be included in the determination that a specific property is a chronic nuisance, and (2) allowing nuisance activity off the property to be considered in determining that a property is a chronic nuisance if it occurs adjacent to or in proximity to the property and the activity involved a person associated with the property or a guest or invitee of the person associated with the property and facts and circumstances establish a nexus between the property and the nuisance activity.

Since the Chronic Nuisance Properties Ordinance was adopted by the City Council in November 2009 and signed by the Mayor in December 2009, the City has effectively used the authority and procedures of the ordinance 17 times to abate nuisance activities at commercial and private residential properties. However, recent gun violence at or near nightclubs and other nightlife venues requires the adoption of the proposed amendments.

### **2. CAPITAL IMPROVEMENT PROGRAM**

**Does this legislation create, fund, or amend a CIP Project?** ☐ Yes ☒ No

### **3. SUMMARY OF FINANCIAL IMPLICATIONS**

**Does this legislation have financial impacts to the City?** ☐ Yes ☒ No

#### **3.d. Other Impacts**

**Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.**

No financial impacts to the City are anticipated.

**If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.**

N/A

**Please describe any financial costs or other impacts of *not* implementing the legislation.**

**Please describe how this legislation may affect any City departments other than the originating department.**

The Seattle Police Department, City Attorney's Office, and the Department of Finance and Administrative Services enforce the Chronic Nuisance Properties Ordinance.

#### **4. OTHER IMPLICATIONS**

**Is a public hearing required for this legislation?**

No.

**a. Is publication of notice with The Daily Journal of Commerce and/or The Seattle Times required for this legislation?**

No.

**Does this legislation affect a piece of property?**

No.

**b. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.**

- i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response please consider impacts within City government (employees, internal programs) as well as in the broader community.**

The ordinance affects property, property owners, and individuals responsible for specific properties. Some properties that may be subject to the Chronic Nuisance Properties Ordinance are frequented by BIPOC community members, such as nightclubs. However, the ordinance focuses on individuals who own or control a property, not the population visiting or using the property.

- ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.**

N/A

- iii. What is the Language Access Plan for any communications to the public?**

N/A

**c. Climate Change Implications**

- i. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.**  
N/A
  - ii. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle’s resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**  
No.
- d. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program’s desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?**
- e. Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**  
No.

<b>5. ATTACHMENTS</b>
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**Summary Attachments:** None.