

# Abatement Program Budget Request



City Council Study Session  
November 10, 2015

# CITY COUNCIL GOAL

*In order to enhance quality of life and public image, enhance code compliance effectiveness within all neighborhoods and areas in the city.*

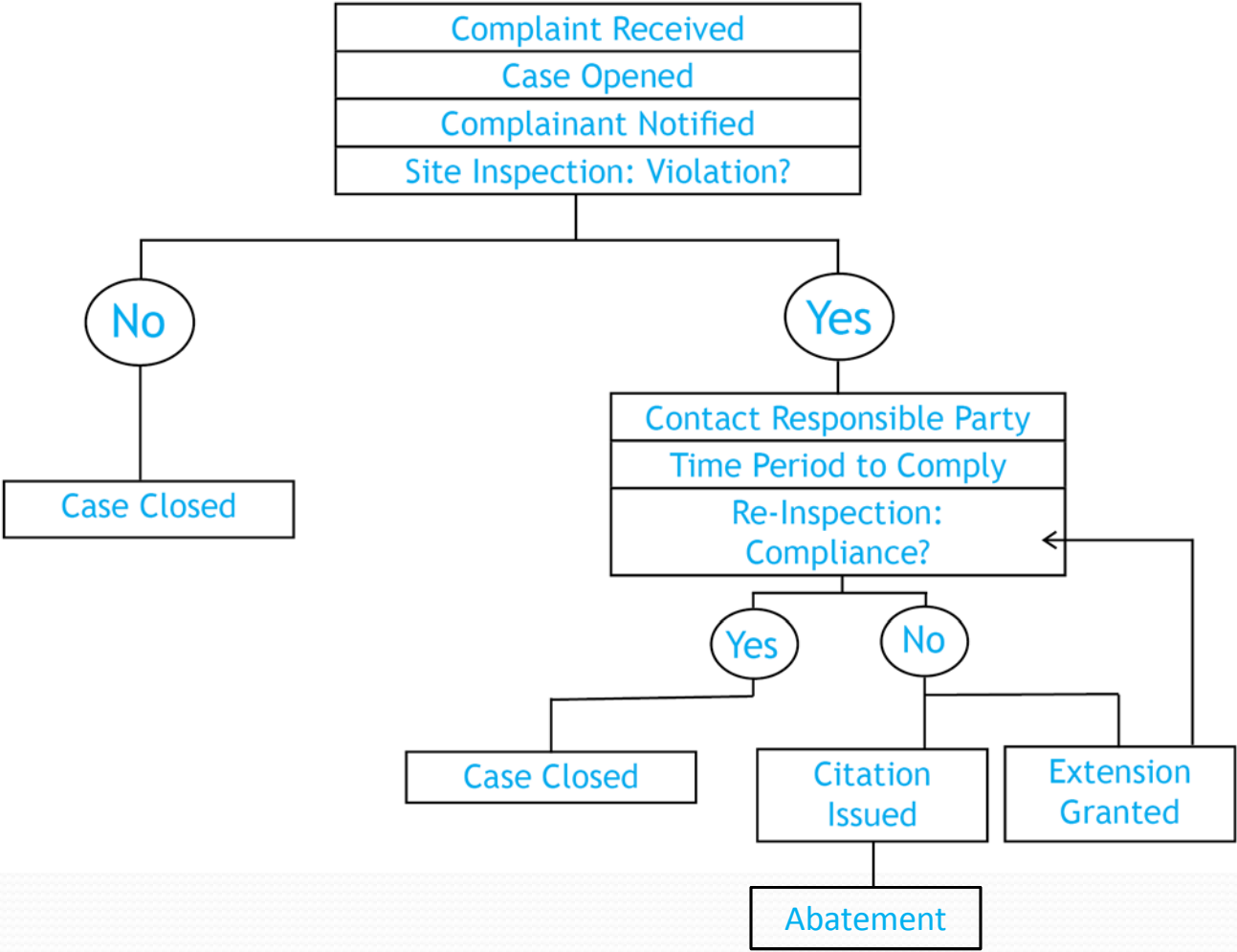
# Initiative: Abatement & Cleanup Programs

**Purpose: Address persistent nuisance properties**

Process:

- Municipal Code analysis
- Analyzed typical abatement costs and options for service
- Develop various service level options
- Present 2016 budget modification request

# Code Compliance Process



# Code analysis

- RCW 7.48, RCW 35A.21.160 & RCW 35.22.280(30) provides City with authority to abate nuisances
- SMC 1.15 includes the basis for City abatement process
- In the past, City has conducted abatements using existing code authority
- City code is similar to surrounding jurisdictions (incl. Tukwila, which conducts abatements)

## What is an abatement?

- SMC 7.15.010.E (adopted September 2015):  
“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 manner and to such an extent as determined is necessary in the interest of the public health, safety and welfare of the community.
- Abatement is the final process through which the City corrects nuisances (defined in SMC 7.15 & SMC 7.25)

## When abatements occur

- SMC 1.15.175 specifies conditions when abatements can occur
- City can declare abatements for an emergent or immediate threat (summary abatement)
- An abatement warrant must be secured from Superior Court for non-emergent nuisances (min. 4 month process)
- Abatements occur after attempts to have the property owner correct violation have failed

## Abatement costs

- Securing an abandoned house: ~\$500 materials and labor (PW Maintenance staff, regular time)
- Additional abatement actions will vary, depending on nature and magnitude of the problem
- Ex. #1: estimated \$2500 - \$3000 to remove limited amount of rubbish, overgrown vegetation + dump fees
- Ex. #2: estimated \$15,000 - \$20,000 to clear entire site of rubbish, overgrown vegetation + dump fees (private vendor)
- Ex. #3: estimated \$500 - \$750 to dispose of ~200 tires



## Personnel options

- PW Maintenance staff performs work and charges abatement fund. Charges include labor, equipment, disposal fees.
- All personnel costs will be charged to the property owner: code staff; police; legal; etc. (SMC 1.15.175.F)
- Using an outside vendor can be more costly and less efficient for most cases
- Certain issues may best be resolved through a certified vendor (i.e., certified tire disposal vendor, certified hazardous materials disposal)

## Service level analysis for \$50,000

- Level 1: board up unsecured houses (100 houses) \*
- Level 2: Level 1, plus remove rubbish and junk vehicles (10 - 15 properties) \*
- Level 3: Level 2, plus cut overgrown vegetation (8 - 10 properties) \*
- Level 4: Level 3, plus secure site with barricades or fencing (4 properties)\*
- Other cases: any combination of the above; hazardous or very large issue (1 property)\*

*\* (# of cases addressed with \$50,000 funding)*

# Determining priorities

- Top priority: immediate/emergent public health, safety or welfare issues; addressed through summary abatement actions
- High priority: Address abandoned/vacant properties; all unsecured houses/structures to be boarded
- Medium priority: Removal of rubbish & junk vehicles
- Low priority: Vegetation management
  
- Procedures to be developed to match Council's selected service level
- Municipal Code amendments may also be needed

## Recouping costs

- All costs will be billed (staff time, labor, City equipment, disposal of materials, costs of outside vendors (if needed), legal filings)
- 1<sup>st</sup> step: send bill to property owner
- 2<sup>nd</sup> step: turn over to collection agency if failure to pay
- 3<sup>rd</sup> step: file a lien on the property within 90 days of abatement action (must be paid to clear title)
- Note: it could take years for costs to be recouped

# Budget Modification Request

- Staff is requesting an additional \$48,000 of funding to augment the \$2,000 that is currently available in the adopted 2016 Code Compliance budget.

# Comments, Council Direction on Decision Card