



## Legislation Passed April 30, 2024

The Tacoma City Council, at its regular City Council meeting of April 30, 2024, 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.

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### **Resolution No. 41409**

A resolution authorizing an increase and extending the contract with Mithun, Inc., in the amount of \$95,000, for a cumulative total of \$995,000, budgeted from the Permit Services Fund, for additional scope of work as part of the Home in Tacoma Project Phase 2, through July 1, 2025 - Specification No. PL22-0085F.

[Brian Boudet, Planning Manager; Peter Huffman, Director, Planning and Development Services]

### **Resolution No. 41410**

A resolution awarding a contract to R.L. Alia Company, in the amount of \$1,108,747.00, plus applicable taxes, plus a 20 percent contingency, budgeted from the Stormwater and Streets Initiative funds, for the replacement of storm sewer mains, roadways, and curb ramps on North 8th and North Pine Streets, for a projected contract total of \$1,330,496.40 - Specification No. ES23-0069F.

[Kirk Myklestad, P.E., Civil Engineer; Michael P. Slevin III, P.E., Director, Environmental Services]

### **Resolution No. 41411**

A resolution accepting a grant from the Washington State Department of Transportation, in the amount of \$4,950,000, and depositing said sum into the Tacoma Rail Fund, to assist with acquisition of two zero-emission locomotives and installation of associated on-site charging infrastructure.

[Alan Matheson, Assistant Rail Superintendent; Dale King, Rail Superintendent]

### **Resolution No. 41412**

A resolution appointing and reappointing individuals to the Commission on Immigrant and Refugee Affairs.

[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

### **Resolution No. 41413**

A resolution appointing and reappointing individuals to the Landmarks Preservation Commission.

[Nicole Emery, City Clerk; Chris Bacha, City Attorney]

**Resolution No. 41414**

A resolution authorizing the submittal of the 2024 Annual Action Plan to the U.S. Department of Housing and Urban Development; authorizing the execution of agreements with the Tacoma Community Redevelopment Authority, the City of Lakewood, and up to 20 individual contractors to support housing, community and economic development, and public service activities; and authorizing updates to the Participation Plan.

[Felicia Medlen, Housing Division Manager; Jeff Robinson, Director, Community and Economic Development; Allyson Griffith, Director, Neighborhood and Community Services]

**Resolution No. 41415**

A resolution directing the City Manager to review options for a public education campaign to reduce littering and increase participation in litter cleanup programs, and to share options and a proposal as part of the 2025-2026 Biennial Budget recommendation.

[Council Member Rumbaugh]

**Amended Substitute Resolution No. 41416**

A resolution recognizing our community's global ties and affirming Tacoma's commitment to standing together against violence and hate.

[Mayor Woodards]

**Ordinance No. 28963**

An ordinance amending Chapter 8.12 of the Municipal Code, relating to Disorderly Conduct, by amending Section 8.12.150, entitled "Littering prohibited - Penalties", to align more closely with state law; and providing for enforcement, and establishing civil and criminal penalties for violations.

[Deputy Mayor Hines]



## RESOLUTION NO. 41409

1 A RESOLUTION related to the purchase of materials, supplies or equipment,  
2 and the furnishing of services; authorizing an increase to and extending  
3 the contract with Mithun, Inc., in the amount of \$95,000, for a cumulative  
4 total of \$995,000, budgeted from the Permit Services Fund, for additional  
5 scope of work as part of the Home in Tacoma Project Phase 2, through  
6 July 1, 2025, Specification No. PL22-0085F.

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

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

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

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

17 Section 2. That the proper officers of the City are hereby authorized to  
18 increase and extend Contract No. CW2251177 with Mithun, Inc., in the amount of  
19 \$95,000, for a cumulative contract total of \$995,000, budgeted from the Permit  
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Services Fund, for additional scope of work as part of the Home in Tacoma Project  
Phase 2, through July 1, 2025, consistent with Exhibit "A."

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Adopted \_\_\_\_\_

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Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
City Attorney



## RESOLUTION NO. 41410

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and  
2 the furnishing of services; authorizing the execution of a contract with  
3 R. L. Alia Company, in the amount of \$1,108,747.00, plus applicable taxes,  
4 plus a 20 percent contingency, budgeted from the Stormwater and Streets  
5 Initiatives funds, for the replacement of storm sewer mains, roadways, and  
6 curb ramps on North 8th and North Pine Streets, for a projected contract  
7 total of \$1,330,496.40, pursuant to Specification  
8 No. ES23-0069F.

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

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

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

16 Section 1. That the Council of the City of Tacoma concurs with the Board of  
17 Contracts and Awards to adopt the recommendation for award as set forth in the  
18 attached Exhibit "A."  
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Section 2. That the proper officers of the City are hereby authorized to enter into a contract with R. L. Alia Company, in the amount of \$1,108,747.00, plus applicable taxes, plus a 20 percent contingency, budgeted from the Stormwater and Streets Initiatives funds, for the replacement of storm sewer mains, roadways, and curb ramps on North 8th and North Pine Streets, for a projected contract total of \$1,330,496.40, pursuant to Specification No. ES23-0069F, consistent with Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
City Attorney



## RESOLUTION NO. 41411

1 A RESOLUTION relating to the Department of Public Utilities, Beltline Division,  
2 (d.b.a. "Tacoma Rail"); authorizing the acceptance and execution of Grant  
3 Agreement RRB-1311 from the Washington State Department of  
4 Transportation, in the amount of \$4,950,000, and depositing said sum  
5 into the Tacoma Rail Fund, to assist with the acquisition of two zero-  
6 emission locomotives and installation of the associated on-site charging  
7 infrastructure.

8 WHEREAS the City of Tacoma, Department of Public Utilities, Division  
9 (d.b.a. "Tacoma Rail") was awarded a grant in the amount of \$4,950,000, from  
10 the Washington State Department of Transportation ("WSDOT"), to assist with  
11 the acquisition of two zero emission battery-electric switcher locomotives and  
12 the installation of on-site charging equipment at the Tacoma Rail facility under  
13 Grant Agreement No. RRB-1311, and

14 WHEREAS the Public Utility Board and the Tacoma City Council  
15 previously approved a version of Grant Agreement No. RRB-1311 via  
16 Resolution No. U-11433 and City Council Resolution No. 41345, respectively, to  
17 assist with the acquisition of two zero emission locomotives and with the  
18 installation of the associated on-site charging infrastructure, and

19 WHEREAS prior to the final execution of Grant Agreement No. RRB-  
20 1311, WSDOT staff changed certain language in Section 14.5 nondiscrimination  
21 not previously approved by the Public Utility Board and the Tacoma City Council  
22 in order to be consistent with changes made to RCW 49.60.530, in the 2023  
23 State Legislative Cycle, and

24 WHEREAS additionally, WSDOT staff has refined the language in  
25 Section 36 related to Climate Commitment Act branding requirements, and  
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WHEREAS the funding level and other provisions of the grant remain unchanged, and

WHEREAS in light of the changes made to the agreement by WSDOT, Tacoma Rail believes it is prudent to seek reauthorization of Grant Agreement No. RRB-1311 recognizing the document has changed from the version on file in the office of the City Clerk at the time of the Council's approval on January 23, 2024; Now, Therefore,

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

Section 1. That the City of Tacoma, Department of Public Utilities, Beltline Division (d.b.a. "Tacoma Rail") is authorized to accept a grant funding in the amount of \$4,950,000 from the Washington State Department of Transportation, to assist with the acquisition of two zero-emission locomotives and installation of the associated on-site charging infrastructure, and to deposit said funding into the Tacoma Rail Fund.





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Section 2. That the proper officers of the City are authorized to execute Grant Agreement No. RRB-1311 and any necessary or convenient agreements needed to complete the acceptance of the aforementioned grant funding with the State of Washington Department of Ecology, subject to all agreements being approved as to form by the City Attorney's Office.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney

Requested by Public Utility Board  
Resolution No. U-11451



## RESOLUTION NO. 41412

1 BY REQUEST OF DEPUTY MAYOR HINES, AND COUNCIL MEMBERS  
2 RUMBAUGH AND SCOTT

3 A RESOLUTION relating to committees, boards, and commissions; appointing and  
4 reappointing individuals to Commission on Immigrant and Refugee Affairs.

5 WHEREAS vacancies exist on the Commission on Immigrant and Refugee  
6 Affairs, and

7 WHEREAS, at its meeting of April 11, 2024, the Community Vitality and  
8 Safety Committee conducted interviews and recommended the appointment and  
9 reappointment of individuals to said commission, and

10 WHEREAS, pursuant to City Charter Section 2.4, the persons named on  
11 Exhibit "A" have been nominated to serve on the Commission on Immigrant and  
12 Refugee Affairs; Now, Therefore,

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

14 That those nominees to the Commission on Immigrant and Refugee Affairs,  
15 listed on Exhibit "A", are hereby confirmed and appointed or reappointed as  
16 members of such commission for such terms as are set forth on the attached  
17 Exhibit "A."  
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19 Adopted \_\_\_\_\_  
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21 \_\_\_\_\_  
22 Mayor

23 Attest:  
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25 \_\_\_\_\_  
26 City Clerk

Approved as to form:  
\_\_\_\_\_  
City Attorney



## EXHIBIT "A"

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### COMMISSION ON IMMIGRANT AND REFUGEE AFFAIRS

Appointing **Nixon Tenga** to fill an unexpired term, to expire March 31, 2027.

Appointing **Linus Nyaga** to fill an unexpired term, to expire March 31, 2027.

Appointing **Iuliia Didkivska** to fill an unexpired term, to expire March 31, 2026.

Appointing **Emmanuella Shasha** to fill an unexpired term, to expire March 31, 2026.

Appointing **Eunice T. Ngwasi Kalembo** to the "Alternate" position to fill an unexpired term, to expire March 31, 2025.

Reappointing **Maurice Lekea** to a three-year term, retroactive to April 1, 2024, to expire March 31, 2027.

Reappointing **Samantha Le** to a three-year term, retroactive to April 1, 2024, to expire March 31, 2027.



# RESOLUTION NO. 41413

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BY REQUEST OF DEPUTY MAYOR HINES AND COUNCIL MEMBERS  
BUSHNELL AND DIAZ

A RESOLUTION relating to committees, boards, and commissions; appointing and  
reappointing individuals to the Landmarks Preservation Commission.

WHEREAS vacancies exist on the Landmarks Preservation Commission, and

WHEREAS, at its meeting of April 10, 2024, the Infrastructure, Planning,  
and Sustainability Committee conducted interviews and recommended the  
appointment and reappointment of individuals to said commission, and

WHEREAS, pursuant to City Charter Section 2.4, the persons named on  
Exhibit "A" have been nominated to serve on the Landmarks Preservation  
Commission; Now, Therefore,

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

That those nominees to the Landmarks Preservation Commission, listed on  
Exhibit "A," are hereby confirmed and appointed or reappointed as members of  
such commission for such terms as are set forth on the attached Exhibit "A."

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
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City Clerk

Approved as to form:  
  
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City Attorney



## EXHIBIT "A"

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### LANDMARKS PRESERVATION COMMISSION

Appointing **Anahita Modrek** to the "Architect 2" position to fill an unexpired term, to expire December 31, 2025.

Appointing **Gia Mugford** to the "Wedge Ex Officio" position to fill an unexpired term, to expire December 31, 2027.

Reappointing **Alex Morganroth** to the "At-Large 1" position to a three-year term, retroactive to January 1, 2024, to expire December 31, 2026.



## RESOLUTION NO. 41414

1 A RESOLUTION relating to community, economic development, neighborhood, and  
2 community services; authorizing the submittal of the 2024 Annual Action  
3 Plan to the U.S. Department of Housing and Urban Development;  
4 authorizing the execution of agreements with the Tacoma Community  
5 Redevelopment Authority, the City of Lakewood, and up to 20 agreements  
6 with individual contractors with federal money to support housing, community  
7 and economic development, and public service activities; and updating the  
8 Participation Plan.

9 WHEREAS submittal of the 2024 Annual Action Plan will ensure that the City  
10 receives federal funds to manage its housing, community and economic  
11 development, neighborhood improvement, homeless assistance, and social service  
12 programs, and

13 WHEREAS the Annual Action Plan outlines the City's use of Community  
14 Development Block Grant ("CDBG"), HOME Investment Partnership  
15 Program ("HOME"), and Emergency Solutions Grant ("ESG") funds, and

16 WHEREAS the Annual Action Plan is due to the U.S. Department of Housing  
17 and Urban Development ("HUD") on or before the deadline of May 15, 2024, and

18 WHEREAS the City anticipates receipt of the following funding amounts for  
19 Program Year ("PY") 2024: (1) CDBG, in the amount of \$2,393,848; (2) HOME, in  
20 the amount of \$1,458,355; and (3) ESG, in the amount of \$209,987, and

21 WHEREAS the City's share of the HOME program grant funds is estimated  
22 to be \$1,117,100, and Lakewood's share is estimated to be \$341,255, and

23 WHEREAS the Tacoma Community Redevelopment Authority ("TCRA") and  
24 Human Services Commission reviewed applications for funding and prepared  
25 funding recommendations based thereon, and  
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WHEREAS funding recommendations were presented to the City Council at the Study Session of April 2, 2024, and

WHEREAS a public hearing on the recommendations was held on April 23, 2024, and the draft Annual Action Plan was available for public review for a period of 30 days, beginning on March 29, 2024, and ending on April 29, 2024, and

WHEREAS the City Council is now requested to make its final funding decisions for submittal to HUD, and to authorize the execution of three agreements with the TCRA, and

WHEREAS one agreement with the TCRA is for HOME funds in the amount of \$1,117,100, for the purpose of funding programs in support of permanent, affordable rental housing, supportive housing, administration, affordable homeownership housing, and down payment assistance; and the second is with the TCRA for CDBG funds in the amount of \$1,734,771, in support of administration and housing activities, and

WHEREAS the City Council is also requested to authorize a third Subrecipient Agreement under the HOME program with the City of Tacoma, City of Lakewood, and the TCRA to administer and carry out HOME activities under the Tacoma-Lakewood Consortium in the amount of \$341,255, and

WHEREAS up to 20 agreements will be executed with individual subrecipients and/or contractors, for 2024 CDBG and ESB funds administered by the City, and



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WHEREAS this resolution will approve updating the Citizen Participation Plan to the revised Participation Plan, which includes streamlining the amendment process for HUD-approved plans and clarification on processes related to CDBG, HOME, and ESG programs; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to submit, on or before the deadline of May 15, 2024, the 2024 Annual Action Plan to the U.S. Department of Housing and Urban Development (“HUD”) for funding for various agencies, said plan to be substantially in the form of the document on file in the office of the City Clerk.

Section 2. That the proper officers of the City are hereby authorized to execute the following agreements with the Tacoma Community Redevelopment Authority: (1) an agreement for the Community Development Block Grant Program (“CDBG”); and (2) an agreement for the HOME Investment Partnerships Program, for the purpose of funding housing development programs allocated under the City’s Annual Action Plan, said agreements to be substantially in the form of the documents on file in the office of the City Clerk.

Section 3. That the proper officers of the City are hereby authorized to execute up to 20 additional agreements with individual subrecipients and/or contractors for program year 2024 CDBG and Emergency Solutions Grant funds administered by the City.





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Section 4. That the proper officers of the City are hereby authorized to execute the HOME Consortium Subrecipient Agreement with the City of Lakewood and the Tacoma Community Redevelopment Authority for the purpose of carrying out HOME activities under the Tacoma-Lakewood Consortium, said agreement to be substantially in the form of the document on file in the office of the City Clerk.

Section 5. That the proper officers of the City are hereby authorized to update the Citizen Participation Plan to the revised Participation Plan, which includes streamlining the amendment process for HUD-approved plans and clarification on processes related to CDBG, HOME, and ESG programs.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:  
  
\_\_\_\_\_  
City Clerk

Approved as to form:  
  
\_\_\_\_\_  
Deputy City Attorney



## RESOLUTION NO. 41415

1 BY REQUEST OF DEPUTY MAYOR HINES AND COUNCIL MEMBERS  
2 BUSHNELL AND RUMBAUGH

3 A RESOLUTION relating to littering; directing the City Manager to review options  
4 for a public education campaign to reduce littering and increase participation  
5 in litter cleanup programs, and to share options and a proposal as part of  
6 the 2025-2026 biennium budget recommendation.

7 WHEREAS residents of the City frequently express concerns about litter, and  
8 litter-related Tacoma FIRST 311 ("311") requests on public property have been  
9 escalating, with 20 percent of the top ten 311 requests in the past decade involving  
10 garbage, debris, and illegal dumping, and

11 WHEREAS in 2023, the City removed more than 4.9 million pounds of litter,  
12 illegal dumping, and garbage from public areas, and

13 WHEREAS littering increases public health, public safety, and environmental  
14 concerns, but litter also often includes potentially dangerous items, such as glass,  
15 human waste, or cigarettes, that can carry germs and diseases, create fire hazards,  
16 harm people, and attract pests or rodents, and can also contribute to negative  
17 perceptions of safety and well-being, and

18 WHEREAS the City's proximity to the Puget Sound also creates concerns  
19 regarding litter, given that littered items can pollute local waters and harm animals  
20 and marine life, and

21 WHEREAS in summer 2023, the City engaged the community through an  
22 online survey and in-person outreach to help identify how and where the City  
23 should focus cleanup efforts as part of our Tidy-Up Tacoma program, with a strong  
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1 focus on ensuring that input from historically underrepresented communities were  
2 prioritized in engagement results, and

3 WHEREAS community members' priorities were ranked as follows, from  
4 most to least important: (1) litter and debris cleanup; (2) servicing public litter cans;  
5 (3) graffiti removal; (4) trail maintenance; and (5) supporting community-based  
6 cleanup organizations, and

7  
8 WHEREAS this resolution directs the City Manager to consider additional  
9 approaches to addressing the City's litter problem through public education and  
10 increased civic participation, and to bring forward options for City Council  
11 consideration in the 2025-2026 biennium budget discussions, and

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13 WHEREAS the proposals should focus on pedestrian-heavy areas, such as  
14 around parks, within neighborhood business districts, and along identified Safe  
15 Routes to School, and

16  
17 WHEREAS the proposals should also focus on inspiring City communities to  
18 care for and take pride in their neighborhoods in order to reduce littering behavior  
19 and increase the likelihood of participation in local beautification efforts in these  
20 areas; Now, Therefore,

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

That the City Manager is hereby directed to review options for a public education campaign to reduce littering and increase participation in litter cleanup programs, and to share options and a proposal as part of the 2025-2026 biennium budget recommendation.

Adopted \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Chief Deputy City Attorney



**SUBSTITUTE  
RESOLUTION NO. 41416**

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR HINES, AND  
2 COUNCIL MEMBERS BUSHNELL, DANIELS, DIAZ, RUMBAUGH, SCOTT,  
3 USHKA, AND WALKER

4 A RESOLUTION recognizing our community’s global ties and affirming Tacoma’s  
5 commitment to standing together in support of peaceful and diplomatic  
6 conflict resolution, including calls in support of an immediate and  
7 permanent ceasefire.

8 WHEREAS we recognize that the people of Tacoma are part of the fabric  
9 of our great state and country, but also our global community, with ties woven  
10 across borders to beloved family members, friends, and communities, and

11 WHEREAS these global ties mean that when there is violence abroad, many  
12 in our community suffer here at home as well, and

13 WHEREAS our community is especially distressed by violence against  
14 children and deeply concerned for the welfare of youth in conflict zones, such  
15 as Gaza and Israel, and those around the world, who lack access to basic  
16 human needs, and

17 WHEREAS we know how important it is that we stand together with peace-  
18 loving communities around our state, country, and the world to help amplify the  
19 chorus of those who praise peace, democracy, and human rights, and

20 WHEREAS in 2015, the City Council adopted a resolution authorizing the  
21 City’s membership in the Welcoming Cities and Counties Initiative, which  
22 encourages communities to create a welcoming environment and celebrate cultural  
23 diversity, and  
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1           WHEREAS the City of Tacoma further committed itself to anti-racist systems  
2 transformation in 2020 when we adopted Resolution No. 40622, rejecting policies  
3 and practices that marginalize, degrade, and dehumanize any group of people in  
4 our city, and  
5

6           WHEREAS we recognize that our commitment to being a Welcoming City  
7 and striving for anti-racist systems transformation is a declaration that we support  
8 human dignity and human rights for all, and that this declaration of our values is  
9 not bounded by our city limits, and  
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11           WHEREAS the City of Tacoma believes that diversity is what gives us  
12 strength and that all residents have the inalienable right to practice, embrace, and  
13 celebrate their heritage and religious traditions without fear of persecution, and  
14

15           WHEREAS Tacoma does not accept violence or hate, and stands  
16 forever united with our community members against such actions no matter  
17 where they take place or who they target; Now, Therefore,

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

19           Section 1. The City of Tacoma unequivocally condemns all acts of violence  
20 and hate targeting people due to their faith, ethnicity, race, or heritage, and we  
21 stand against all abuses of human rights no matter where they occur.  
22

23           Section 2. The City of Tacoma affirms its commitment to build bridges and  
24 support all its residents and condemn anti-Arab racism, antisemitism, Islamophobia,  
25 and all forms of racism, xenophobia, and discrimination. We stand by all members  
26



1 of our community who seek to peacefully demonstrate and share their political,  
2 religious, and moral views.

3           Section 3. The City of Tacoma will always stand in support of peaceful and  
4 diplomatic conflict resolution, including our national, state, and local leaders and  
5 community members who have called for an immediate and permanent ceasefire,  
6 the protection of humanitarian aid workers, and the provision of humanitarian aid in  
7 Gaza. We ask our state and national leaders to recognize the harmful impact foreign  
8 conflicts have on our residents and continue to use their  
9 diplomatic power to help bring about an end to violence against civilians, to ensure  
10 the safe return of hostages and political prisoners to their families, and forge a  
11 durable peace for Palestinian and Israeli civilians, and communities around the  
12 world.  
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15           Section 4. The City of Tacoma recognizes and cherishes every one of our  
16 community members who is affected by violence in foreign countries, and we  
17 reaffirm Tacoma's dedication to peace and solidarity with community members  
18 who are affected by conflicts abroad.  
19

20           Section 5. The City of Tacoma asks all state and federal leaders to continue  
21 their efforts to share and amplify Tacoma's values of compassion and care to those  
22 lacking access to basic human needs. We also ask that they use their diplomatic  
23 influence with foreign governments to allow unrestricted entry of humanitarian  
24 assistance into conflict zones, including in Gaza, to ensure that all civilians have  
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1 access to basic necessities, and do their utmost to protect aid workers. We stand  
2 by all our residents who are extending neighborly kindness to one another to build  
3 the bonds of peaceful coexistence and engaging in constructive dialogue to build  
4 shared understanding.  
5

6 Section 6. The City of Tacoma mourns all the innocent lives that have been  
7 lost and forever impacted by violence in our city, state, and abroad. We especially  
8 call on all our residents and national leaders to ensure that young people in our  
9 global community are not only safe, but that we show them their future has value.  
10

11 Adopted \_\_\_\_\_  
12

13 \_\_\_\_\_  
14 Mayor

15 Attest:  
16 \_\_\_\_\_  
17 City Clerk

18 Approved as to form:  
19 \_\_\_\_\_  
20 Chief Deputy City Attorney  
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## ORDINANCE NO. 28963

1 BY REQUEST OF DEPUTY MAYOR HINES AND COUNCIL MEMBERS  
2 BUSHNELL AND RUMBAUGH

3 AN ORDINANCE relating to littering; amending Chapter 8.12 of the Municipal  
4 Code, relating to Disorderly Conduct, by amending Section 8.12.150,  
5 entitled “Littering Prohibited – Penalties,” to align more closely with state  
6 law; and providing for enforcement, and establishing civil and criminal  
7 penalties for violations.

8 WHEREAS residents in the City frequently express concerns about litter and  
9 illegal dumping, and

10 WHEREAS twenty percent of the top ten Tacoma FIRST 311 requests in the  
11 past decade have involved garbage, debris, and illegal dumping, and

12 WHEREAS litter-related Tacoma FIRST 311 requests on public property  
13 have been escalating for the past decade, underscoring the need to shift the  
14 enforcement system, and

15 WHEREAS the City’s solid waste utility provides garbage, recycling, and  
16 yard/food waste services for more than 50,000 single-family homes and numerous  
17 multifamily, business, and industrial customers and operates a full-service transfer  
18 station, with a recycling center and household hazardous waste collection facility,  
19 as well as a residential bulk item disposal service, and

20 WHEREAS despite the robust availability of diverse City services and a  
21 comprehensive waste disposal infrastructure, littering and illegal dumping are  
22 pervasive in Tacoma, and

23 WHEREAS in 2023, the City removed more than 4.9 million pounds of litter,  
24 illegal dumping, and garbage from public areas, and  
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WHEREAS the Washington State Legislature pursuant to Engrossed Substitute House Bill 2207, adopted amendments to the State littering code, codified at Chapter 70A.200 Revised Code of Washington (“RCW”), and the state Civil Infraction Code, codified at Chapter 7.80 RCW, to provide tools designed to reduce the impacts of unlawful solid waste dumping, and

WHEREAS the City Council finds that it is in the best interest of the public health, safety and welfare to amend the City’s littering code at Tacoma Municipal Code 8.12.150 pursuant to this ordinance to align more closely with littering prohibitions and enforcement provisions in state law by creating tiered penalties and similar enforcement provisions; Now, Therefore,

**BE IT ORDAINED BY THE CITY OF TACOMA:**

Section 1. That Section 8.12.150 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit “A.”

Section 2. That, if any subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter, which shall remain in full force and effect.



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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:

\_\_\_\_\_  
City Attorney



## EXHIBIT "A"

### CHAPTER 8.12 DISORDERLY CONDUCT

\* \* \*

8.12.150 Littering prohibited – Penalties.

#### A. Definitions.

The definitions in this section apply throughout this section unless the context clearly requires otherwise.

1. "City" means the City of Tacoma.

2. "Litter" means all waste material including but not limited to disposable packages or containers thrown or deposited as herein prohibited and solid waste that is illegally dumped, but not including the wastes of the primary processes of mining, logging, sawmilling, farming, or manufacturing. "Litter" includes the material described in subsection (A)(3) of this section as "potentially dangerous litter.

3. "Litter receptacle" means those containers adopted by the department of ecology and which may be standardized as to size, shape, capacity, and color and which shall bear the state anti-litter symbol, as well as any other receptacles suitable for the depositing of litter.

4. "Person" means any political subdivision, government agency, municipality, industry, public or private corporation, copartnership, association, firm, individual, or other entity whatsoever.

5. "Potentially dangerous litter" means litter that is likely to injure a person or cause damage to a vehicle or other property. "Potentially dangerous litter" means:

a. Cigarettes, cigars, or other tobacco products that are capable of starting a fire;

b. Glass;

c. A container or other product made predominantly or entirely of glass;

d. A hypodermic needle or other medical instrument designed to cut or pierce;

e. Raw human waste, including soiled baby diapers, regardless of whether or not the waste is in a container of any sort; and

f. Nails or tacks.

6. "To litter" means a single or cumulative act of disposing of litter in violation of this section.

7. "Vehicle" includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

#### B. Violations

1. It is a violation of this section to throw, drop, deposit, discard, or otherwise dispose of litter upon any public property or upon private property not owned by him or her or in the waters of this state whether from a vehicle or otherwise including but not limited to any public highway, public park, beach, campground, forestland, recreational area, trailer park, highway, road, street, or alley except:

a. When the property is designated by the state or its agencies or political subdivisions for the disposal of garbage and refuse, and the person is authorized to use such property for that purpose;



1 b. Into a litter receptacle in a manner that will prevent litter from being carried away or deposited by the  
2 elements upon any part of the private or public property or waters.

3 2. a. Except as provided in subsection (2)(b) of this section, it is a class 3 civil infraction as provided in  
4 RCW 7.80.120 for a person to litter in an amount less than or equal to one cubic foot.

5 b. It is a class 1 civil infraction as provided in RCW 7.80.120 for a person to discard, in violation of this  
6 section, potentially dangerous litter in any amount.

7 c. It is a misdemeanor for a person to litter in an amount greater than one cubic foot but less than 10  
8 cubic yards.

9 d. It is a gross misdemeanor for a person to litter in an amount of more than 10 cubic yards.

10 3. A person found liable or guilty under this section shall, in addition to the penalties provided for  
11 misdemeanors or gross misdemeanors, also pay a litter clean-up restitution payment equal to four times  
12 the actual cost of cleanup for misdemeanors and two times the actual cost of cleanup for gross  
13 misdemeanors. The court shall distribute an amount of the litter clean-up restitution payment that equals  
14 the actual cost of cleanup to the landowner, or public right-of-way owner, where the littering incident  
15 occurred and the remainder of the restitution payment to the law enforcement agency investigating the  
16 incident.

17 4. The court may, in addition to or in lieu of part or all of the cleanup restitution payment, order the  
18 person to pick up and remove litter from the property, with prior permission of the legal owner or, in the  
19 case of public property, of the agency managing the property.

20 5. The court may suspend or modify the litter cleanup restitution payment for a first-time offender under  
21 this section, if the person cleans up and properly disposes of the litter.

22 ~~No person shall throw, drop, deposit, discard, or otherwise dispose of litter upon any public property in~~  
23 ~~the City or upon private property in this City not owned by him or her or in the waters within the City~~  
24 ~~boundaries, whether from a vehicle or otherwise, including, but not limited to, any public highway, public~~  
25 ~~park, beach, campground, forest land, recreational area, trailer park, highway, road, street, court, alley, or~~  
26 ~~sidewalk, except:~~

1. ~~When such property is designated by the City or the State, or by any of the State's agencies or political~~  
subdivisions, for the disposal of garbage and refuse, and such person is authorized to use such property  
for such purpose.

2. ~~Into a litter receptacle in such a manner that the litter will be prevented from being carried away or~~  
deposited by the elements upon any part of said private or public property or waters.

~~B. Any person violating the provisions of this section shall be guilty of a misdemeanor and the fine for~~  
such violation shall not be less than \$50.00 for each offense. In addition thereto, except where infirmity  
or age or other circumstance would create a hardship, such person shall be directed by the court in which  
conviction is obtained to pick up and remove litter from public property and/or private property, with  
prior permission of the legal owner, for not less than eight hours nor more than 16 hours for each separate  
offense. The court shall schedule the time to be spent on such activities in such a manner that it does not  
interfere with the person's employment and does not interfere substantially with the person's family  
responsibilities.

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