

CITY COUNCIL REGULAR SESSION

Ordinance amending Bellevue City Code (BCC) Chapter 9.10, Nuisances, declaring graffiti a public nuisance; providing for severability; and establishing an effective date.

Elizabeth Stead, Land Use Director, 452-2725
Development Services Department

Jessica Nadelman, Assistant City Attorney, 452-2828
City Attorney's Office

EXECUTIVE SUMMARY

At the March 6 Study Session, Council directed staff to prepare a final ordinance to amend Bellevue City Code (BCC) Chapter 9.10, Nuisances. This ordinance amends BCC Chapter 9.10 Nuisances declaring graffiti a public nuisance. Council also directed staff to develop an education program and bring information back at a later date to address assistance for property owners.

In addition to the ordinance, for Council's discussion staff will present information on educational actions and other service enhancements that may support the effectiveness of limiting graffiti in Bellevue. The Council's dialogue will determine whether further direction is needed.

RECOMMENDATION

Move to adopt Ordinance No. 6737

BACKGROUND/ANALYSIS

Planned Services

If Council adopts the ordinance, the City will enhance service in the following ways.

Staff will leverage the excellent success of code enforcement practices and apply them in response to graffiti. A violation will get response by a code compliance officer of the Development Services Department. Due to a neighborly approach in Bellevue, staff already receives a significantly high rate of cooperation at the first in-person conversation with nearly 99% of incidents being cleared without even delivering a notice of violation.

In addition, the compliance officer shares helpful information about resources to help people mitigate the violation. A unique flier is being created to provide resources related to removing or covering graffiti, including referral services to help those who cannot afford or cannot physically remove it. For example, the City already has an agreement with Jubilee Reach that may send a volunteer group to help a vulnerable resident in need.

The City will add similar resources to its website, disseminate the information through trusted networks, and offer the flier and advice at mini-city hall and community centers.

Graffiti is already a reportable item on the MyBellevue mobile app, and this tool will be more promoted among City staff and in added literature.

Monitor and Return

Given the neighborly approach already in practice in Bellevue, the small number of actual cases, and the supplemental assistance provided by Jubilee Reach, staff finds this a good place to start in Bellevue with a commitment to review the experience and return to Council in the first quarter of 2024 to discuss options to further explore supplemental services related to graffiti removal.

For example, other local jurisdictions address graffiti in the following ways:

Bellevue's surrounding municipalities (Kirkland, Redmond, Issaquah) create easy pathways to report graffiti, provide educational resources for its removal, and rely on the property owner for its timely removal.

Seattle provides additional assistance for seniors or property owners who have been frequently tagged by connecting them to volunteer cleanup crews from their community.

Burien and Tacoma offer rebates (\$100-\$150) for reimbursement of paint supplies to people who demonstrate proof of timely removal of the graffiti.

Everett and Burien provide opt-in graffiti removal services for paint-over removal with differing criteria for residential and/or commercial property owners.

POLICY & FISCAL IMPACTS

Policy Impact

Adoption of the ordinance making graffiti a nuisance will meet the Council's direction as adopted in the 2023-2024 Budget under the initiative to keep Bellevue safe, clean, and vibrant.

Amendments to the code would be supported by the following Comprehensive Plan policies:

N-1. Maintain neighborhoods as safe and welcoming environments for everyone to enjoy.

UD-9. Enhance the appearance of neighborhoods with targeted city programs and right-of-way improvements.

Fiscal Impact

The City will monitor over the first year the effectiveness of the ordinance and demand on staff to learn whether there may be the need for additional staffing resources in Code Compliance, the Hearing Examiner's Office, or the City Attorney's Office to work on nuisance abatement cases.

OPTIONS

1. Adopt the Ordinance amending Bellevue City Code (BCC) Chapter 9.10, Nuisances, declaring graffiti a public nuisance; providing for severability; and establishing an effective date.
2. Do not adopt the Ordinance and provide alternative direction to staff.

ATTACHMENTS

A. Bellevue City Code Chapter 9.10 with proposed changes in redline
Proposed Ordinance No. 6737

AVAILABLE IN COUNCIL LIBRARY

N/A