



LAKEWOOD CITY COUNCIL STUDY SESSION AGENDA

Monday, February 26, 2024

7:00 P.M.

City of Lakewood
Council Chambers
6000 Main Street SW
Lakewood, WA 98499

Residents can virtually attend City Council meetings by watching them live on the city's YouTube channel:

<https://www.youtube.com/user/cityoflakewoodwa>

Those who do not have access to YouTube can call in to listen by telephone via Zoom: Dial +1(253) 215-8782 and enter meeting ID: 868 7263 2373

Page No.1

CALL TO ORDER

ITEMS FOR DISCUSSION:

- (3) 1. Review of 2023 Social Media and Website Analytics.
– (Memorandum)
- (40) 2. Review of International Building Code Amendments.
– (Memorandum)
- (56) 3. Review of Ordinance related to Mandatory Minimum Jail Sentences. – (Memorandum)

ITEMS TENTATIVELY SCHEDULED FOR THE MARCH 4, 2024 REGULAR CITY COUNCIL MEETING:

- 1. Proclamation recognizing March, 2024 as American Red Cross Month. – *Larry Bleich, Community Volunteer, American Red Cross*
- 2. Recognizing the 2024 Dr. Martin Luther King, Jr. Program Participants.
- 3. Youth Council Report.
- 4. Clover Park School District Report.

Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.

5. Authorizing the execution of an interlocal agreement with the Pierce County Rural Library District to identify the roles and responsibilities of the City and the Library as they relate to the ownership, transfer, handling, and storage of the Douglas Fir section of tree. – (Motion – Consent Agenda)
6. Authorizing the execution of American Rescue Plan Act (ARPA) funds in support of the Pierce County Village for chronically homeless. – (Motion – Consent Agenda)
7. Approving the International Building Code Amendments. – (Ordinance – Consent Agenda)
8. This is the date set for a public hearing to consider the vacation of the 20 foot wide alley abutting Lots 1 through 14, Block 69 Town Plat of Lakeview. – (Public Hearings and Appeals – Regular Agenda)
9. Adopting a new section of the Lakewood Municipal Code, Chapter 1.22 City Flag Policy. – (Ordinance – Regular Agenda)
10. Creating a new section of the Lakewood Municipal Code, Section 9.16, Setting Mandatory Minimum Sentences for Certain Crimes. – (Ordinance – Regular Agenda)

REPORTS BY THE CITY MANAGER

CITY COUNCIL COMMENTS

ADJOURNMENT

Persons requesting special accommodations or language interpreters should contact the City Clerk, 253-983-7705, as soon as possible in advance of the Council meeting so that an attempt to provide the special accommodations can be made.



TO: Mayor and City Council

FROM: Brynn Grimley, Communications Manager

THROUGH: John J. Caulfield, City Manager *John J. Caulfield*

DATE: February 26, 2024

SUBJECT: 2023 SOCIAL MEDIA AND WEBSITE ANALYTICS

ATTACHMENTS: Annual reports for social media and website.

At the end of each year the Communications division conducts a review of social media and website analytics.

This review allows us to see how successful our content is at reaching our intended audience. Understanding trends and knowing what works shapes future communication strategies.

The city maintains three Facebook accounts (City, Police, Lakewood Senior Activity Center), two Instagram accounts (City and Lakewood PD), two X (formerly known as Twitter) accounts (City and Lakewood PD), one YouTube channel and one LinkedIn account.

Statistics presented in this report focus on the city's Facebook and Instagram accounts. These two platforms are the most heavily used by the city and see the highest level of engagement.

The attached annual report for the website highlights the most visited pages, the most common languages used to translate the site and unique visitors, or people coming to the site for the first time.

The attached social media report highlights the most popular posts shared, looks at how users are engaging with the accounts, and what style of communication has the biggest impact.

Social Media & Website Analytics

Annual Report 2023



overview

Website

- top pages
- geography and language
- technology

Social Media

- city accounts
- police accounts
- 2024 goals



website analytics

users

total: 288,390

new: 284,158

usage

page views: 1,071,797

average view time: 1m 04s



website – top pages

By Page Views

1. Welcome to City of Lakewood – 104,324
2. Lakewood Police Department – 53,679
3. SummerFEST – 47,731
- ★4. Development Services – 47,696
5. Lakewood Farmers Market – 42,051
6. Fort Steilacoom Park – 35,946
7. Municipal Court – 30,876
8. Pay my Fine – 24,164
9. Nights at Pavilion Concerts – 21,968
10. Lakewood Events – 20,103

By Unique Users

1. Welcome to City of Lakewood – 39,368
2. Lakewood Police Department – 22,980
- ★3. SummerFEST – 17,336
4. Lakewood Farmers Market – 16,056
5. Fort Steilacoom Park – 15,916
6. Municipal Court – 11,381
- ★7. Development Services – 10,505
8. Pay my Fine – 8,917
9. Garbage, Recycling and Waste – 8,868
10. Summer Nights at Pavilion Concerts – 8,450



website – geography & language

Users by City

1. Seattle – 25%
2. Tacoma – 13%
3. Lakewood – 8%
4. Not Set – 7%
5. Los Angeles – 2%
- ★ 6. Misc. – 45%

Users By State

- ★ 1. Washington – 59%
2. California – 16%
3. Oregon – 6%
4. Colorado – 5%
5. Nevada – 2%
6. Misc. – 12%



website – geography & language

Top Languages

1. Spanish
2. Chinese
3. German
4. Russian
5. Italian
6. Korean
7. Filipino
8. Japanese
9. French
10. Samoan

Top Translated Pages

1. Home Page
2. Email Protection Link
- ★ 3. Development Services
4. City News
5. Government Relations
6. About Lakewood
7. City Council
8. Police Home Page
9. Community Development
10. Garbage, Recycling and Waste



website – technology

Users by Device

- ★ 1. Mobile – 62.4%
- 2. Desktop – 35.6%
- 3. Tablet – 2%

Users by Browser

- 1. Chrome – 42%
- 2. Safari – 41%
- 3. Edge – 7%
- 4. Safari (in-app) – 5%
- 5. Other – 5%

Users by Operating System

- 1. iOS – 44%
- 2. Windows – 27%
- 3. Android – 21%
- 4. Macintosh – 8%
- 5. Other – <1%

Users by Acquisition

- 1. Organic Search – 65%
- 2. Direct – 22%
- 3. Referral – 7%
- ★ 4. Organic Social – 6%
- 5. Organic Video – <1%



social media analytics

City Accounts

- Instagram
- Facebook
- Senior Center
- Takeaways/Goals

Police Accounts

- Instagram
- Facebook
- Takeaways/Goals



city social media - Instagram



2023 Full-Year Stats *compared to 2022*

★ Net New Followers: 771 - **compared to 234**
Impressions: 417,884 - **245.9%** ↗
Engagements: 20,853 - **234.6%** ↗
- 5% engagement rate - **.2%** ↘

★ 3,308 Total Followers - **30.4%** ↗
★ 601 Total Posts - **compared to 231**
97,380 Total Video Views - **736.2%** ↗

Top Content by Engagements

1. Evacuation Alert Graphic (1,008)
2. Sam Reed Signal Box Reel (671)
3. YC School Zone Reel (576)
4. February Speed Emphasis (381)
5. Holiday Parade Reel (211)

Top Content by Reach

1. YC School Zone Reel (7,305)
2. Evacuation Alert Graphic (6,416)
3. Sam Reed Signal Box Reel (5,328)
4. Lt. Johnson/WPFR Fireworks Reel (3,006)
5. YC Police Roundtable Invite Reel (2,049)

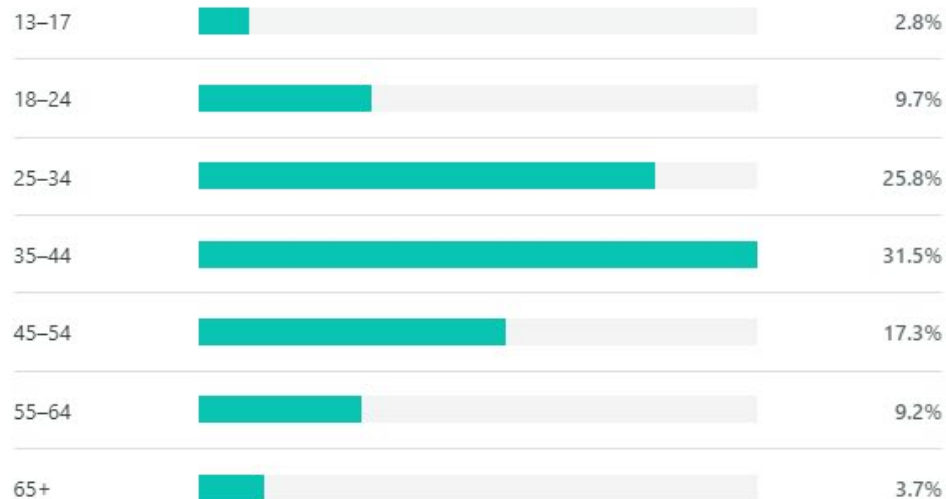


city social media - Instagram

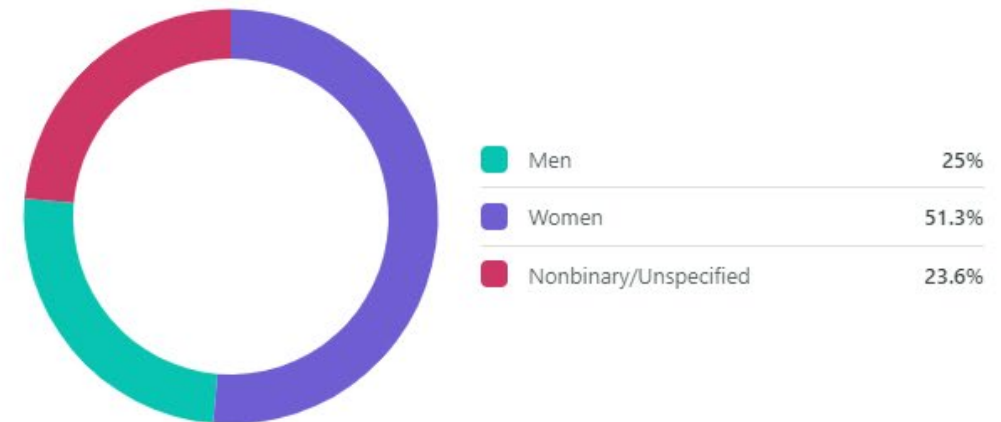


Demographics

Audience by Age



Audience by Gender



main audience: younger millennials and older gen Z, specifically women



city social media - Facebook



2023 Full-Year Stats *compared to 2022*

Net New Followers: 1,781 - **compared to 840**

★ Impressions: 3,654,512 - **382.2%**↗

Engagements: 228,718 - **179.8%**↗
- 6.3% engagement rate – **4.5%**↘

★ 13,445 Total Followers - **30%**↗

★ 600 Published Posts - **compared to 259**

193,989 Total Video Views - **549.2%**↗

Top Content by Engagements

1. First Speed Emphasis Post (9,393)
2. Poison Hemlock Dog Park (5,152)
3. April Fools Roundabout (3,299)
4. Second Speed Emphasis Post (2,790)
5. Motor Ave Renaming (2,302)

Top Content by Reach

1. Bags Over Stop Signs (109,497)
2. Fiesta de la Familia Post One (84,708)
3. Fiesta de la Familia Post Two (65,371)
4. First Speed Emphasis Post (51,423)
5. Poison Hemlock Dog Park (50,344)

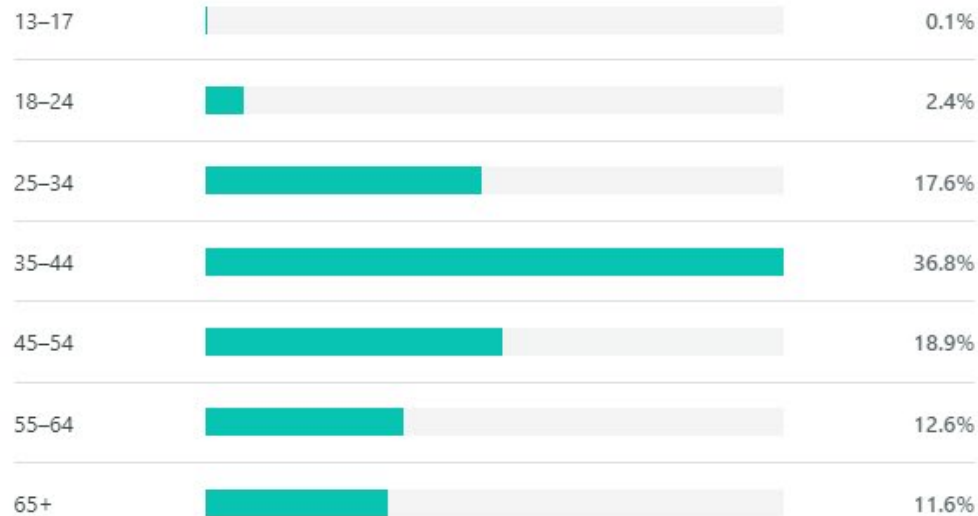


city social media - Facebook

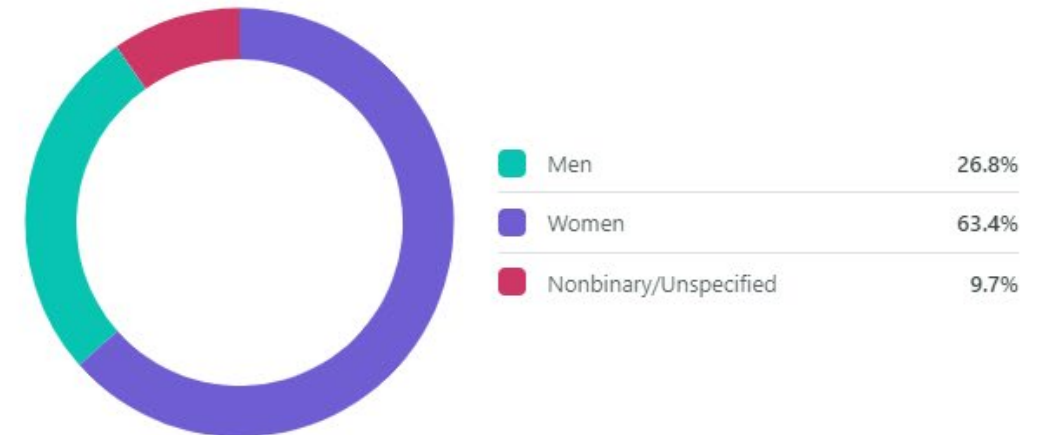


Demographics

Audience by Age



Audience by Gender



main audience: older millennials and gen X, large majority women



senior activity center

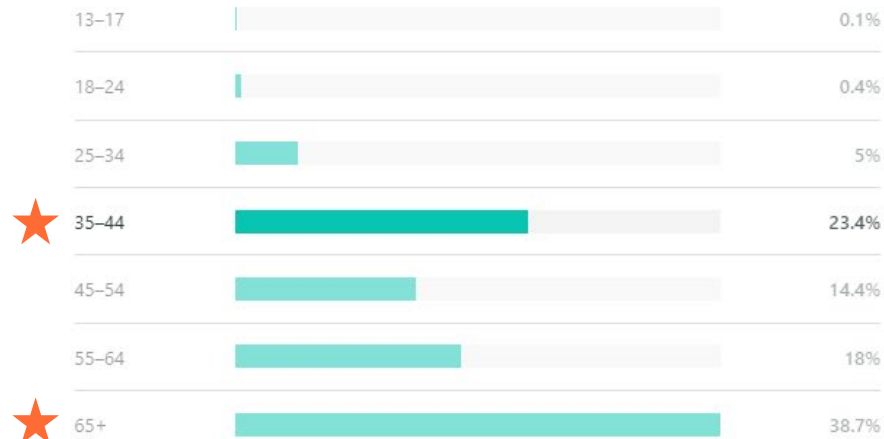


2023 Full-Year Stats *compared to 2022*

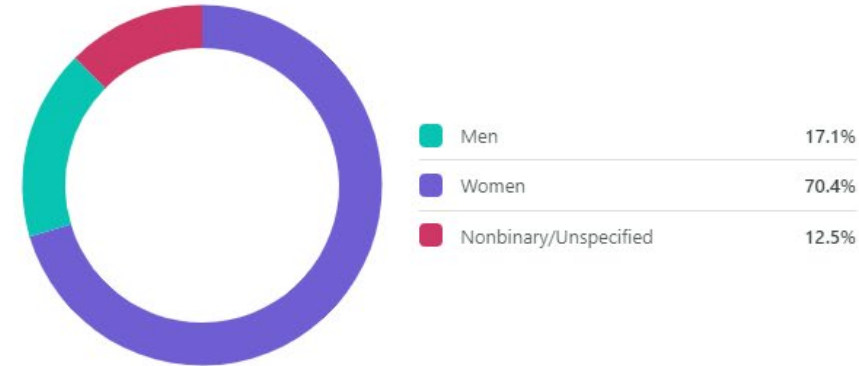
Net New Followers: 78 - **compared to 70**
Impressions: 25,773 – **725.5%** ↗
Engagements: 2,311 – **2,981.3%** ↗
- 9% engagement rate – **6.6%** ↗

696 Total Followers – **12.8%**
115 Published Posts - **compared to 4**

Audience by Age



Audience by Gender



Takeaways and Goals - City

Instagram

- Reels greatly outperform all other content
- Youth subjects, specifically high schoolers, perform best
 - Not necessarily them interacting with it
- Graphics perform poorly (except emergency)
- Carousels have much higher engagement than single photos

2024 Goals

- Higher quality video messaging
- 4,500 Followers

Facebook

- Graphic perform well – good way to spread information
- Almost no younger audience
- People love drama, top shared content is emergency, safety or traffic related
- Audience has a sense of humor
- Videos and reels do not perform very well
- Seems to be used as more of info/news stream rather than entertainment.

2024 Goals

- 8% Engagement Rate
- Continue to tune content to find what audience likes best

police social media - Instagram



2023 Full-Year Stats

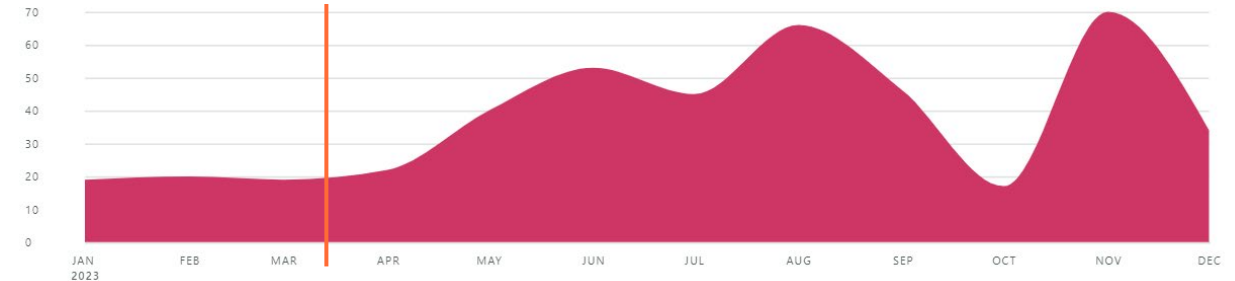
Instagram created in July 2022

★ 141 Published Posts
451 Net Followers
68,904 Impressions
3,944 Engagements
27,135 Video Views

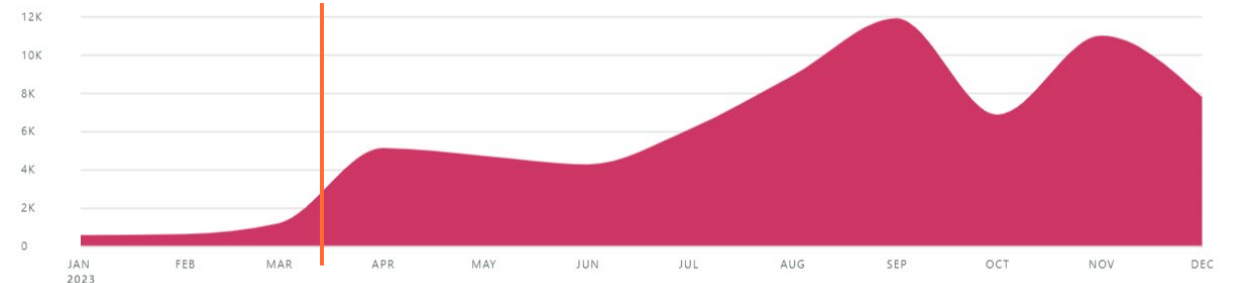
Top Content by Reach

1. Citizen's Academy Reel (2,484)
2. Fiesta de la Familia Reel (2,130)
3. Halloween Reel (1,770)
4. School Zone Reel (1,769)
5. WA State Fair Reel (1,444)

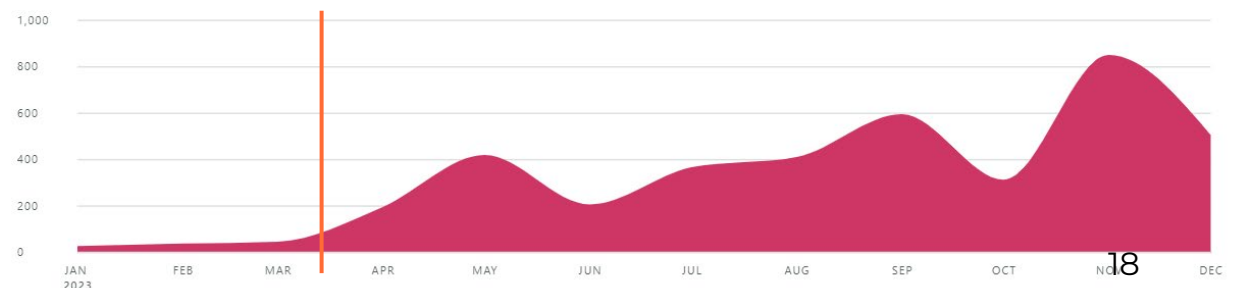
Audience Growth by Month



Impressions by Month



Engagements by Month

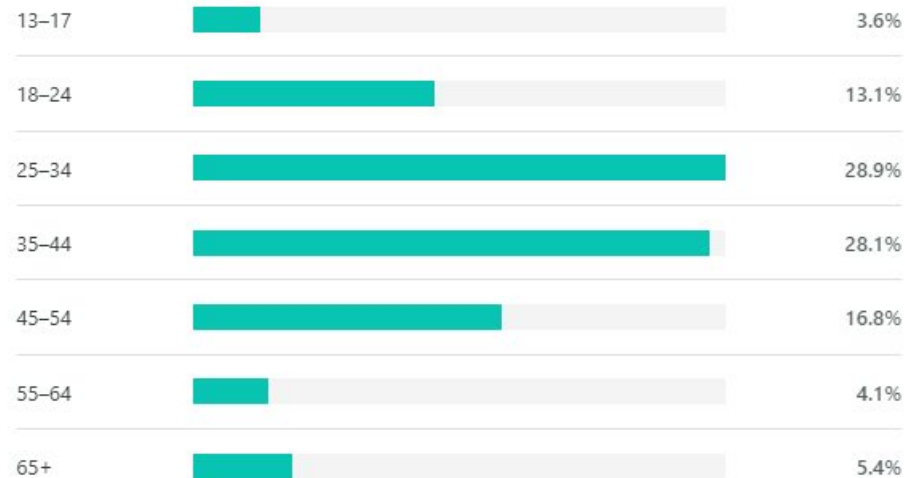


police social media - Instagram

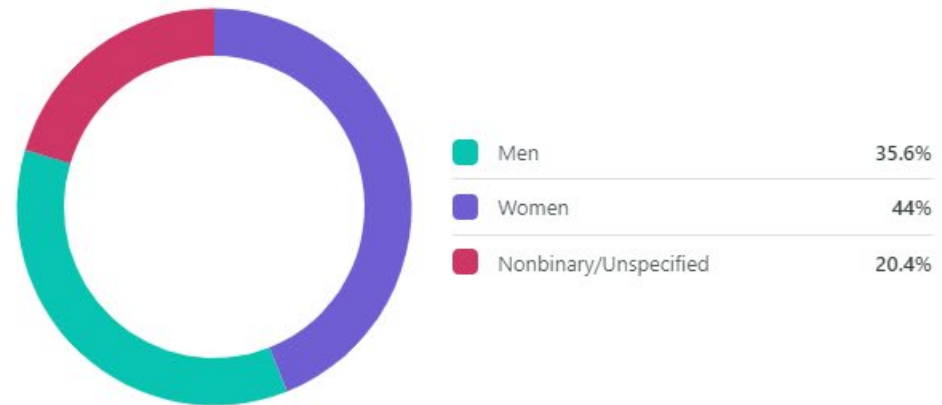


Demographics

Audience by Age



Audience by Gender



main audience: millennials and other government accounts – largest male following of any account



police social media - Facebook



2023 Full-Year Stats *compared to 2022*

2,538 Net Followers - **compared to 1,661**

Impressions: 1,434,718 - **73.1%** ↗

Engagements: 241,869 - **97.4%** ↗

★ - 17% engagement rate - **2.1%** ↗

21,896 Total Followers - **13.1%** ↗

209 Published Posts - **compared to 86**

53,750 Total Video Views - **621.2%** ↗

Top Content by Engagements

- ★ 1. Truck in American Lake (119,840)
- ★ 2. Evacuation Alert (18,754)
3. Deceased Person in Waughop (11,529)
4. Shooting on Gravelly Lake Dr (7,052)
5. Man Wanted Dollar Tree (6,103)

Top Content by Reach

1. Truck in American Lake (335,226)
- ★ 2. Evacuation Alert Update (76,276)
3. Man Wanted Dollar Tree (34,376)
4. Identify Hit and Run Bulletin (29,642)
5. Gravelly Lake Shooting (28,789)

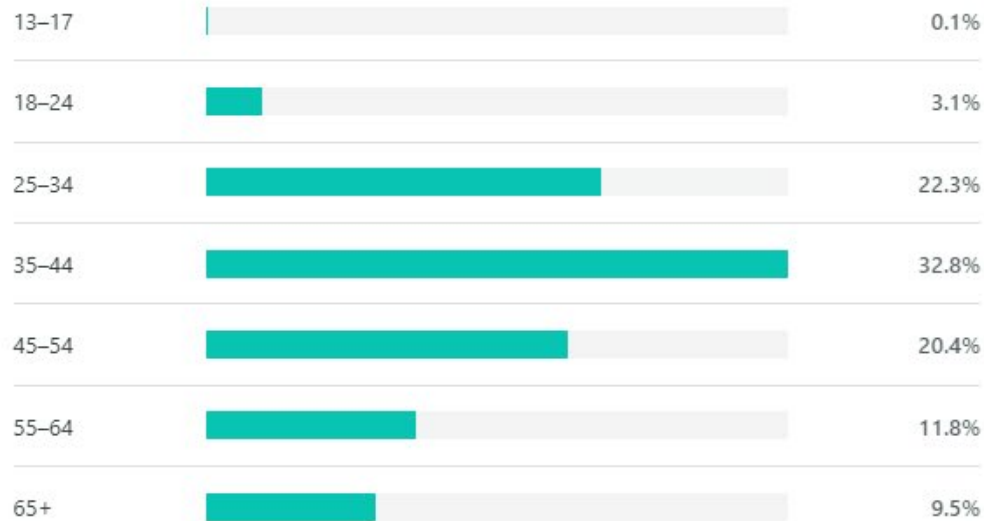


police social media - Facebook

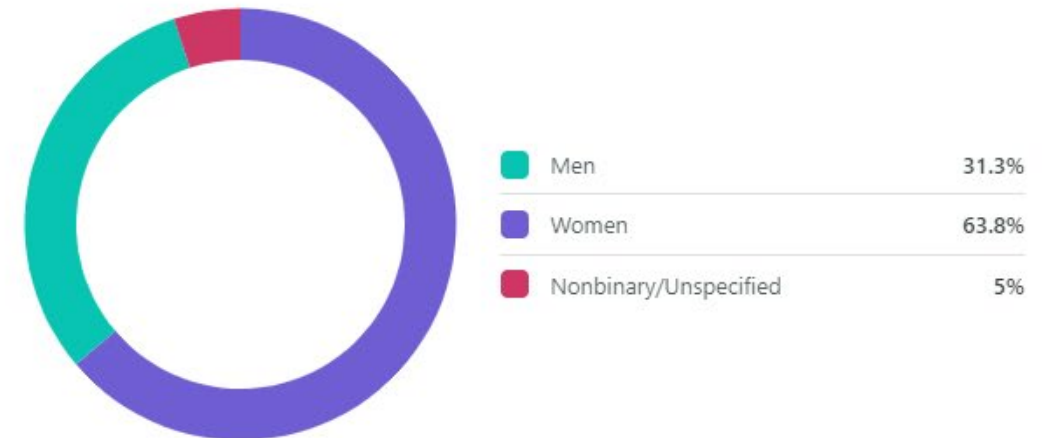


Demographics

Audience by Age



Audience by Gender



main audience: older millennials and gen X, large majority women



Takeaways and Goals - Police

Instagram

- Videos perform significantly better
- Point-in-time information performs poorly
- Relatable “neighborhood” content outperformed all other content
- Audience is almost all millennials
 - Highest percentage of men
- Dogs

2024 Goals

- Build larger community following
- 1500 Followers
- Build online “personalities”

Facebook

- Point-in-time posts perform very well
- Very engaged audience – 17%
- Branded graphics perform well, non-branded perform very poorly
- Official “Police Business” posts perform best
- Videos and reels don’t perform great, don’t do horrible

2024 Goals

- Do a better job of consistent web presence
- Engage a larger community
 - 17% engagement rate for a reason, law enforcement accounts can get into a bubble

questions?





City of Lakewood Social Media 2023 Annual Report

Instagram

2023 Full-Year Stats

compared to 2022

Net New Followers: 771 - **compared to 234**

Impressions: 417,884 - **245.9%** ↗

Engagements: 20,853 - **234.6%** ↗

- 5% engagement rate - **.2%** ↘

3,308 Total Followers - **30.4%** ↗

601 Total Posts - **compared to 231**

97,380 Total Video Views - **736.2%** ↗

Top Content by Engagements:

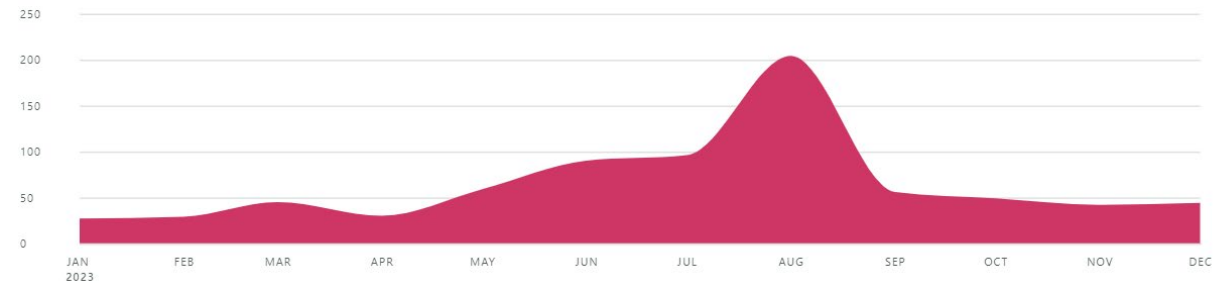
1. Evacuation Alert Graphic (1,008)
2. Sam Reed Signal Box Reel (671)
3. Chase and Angel School Zone Reel (576)
4. February Speed Emphasis Warning (381)
5. Holiday Parade Reel (211)
6. Ribbon Cutting Washington Blvd Reel (192)
7. SummerFEST Recap Reel (191)
8. Y.C. Police Roundtable Invite Reel (186)
9. Y.C. Summit Invite Reel (172)
10. Brandon Elliot Scholarship Carousel (159)



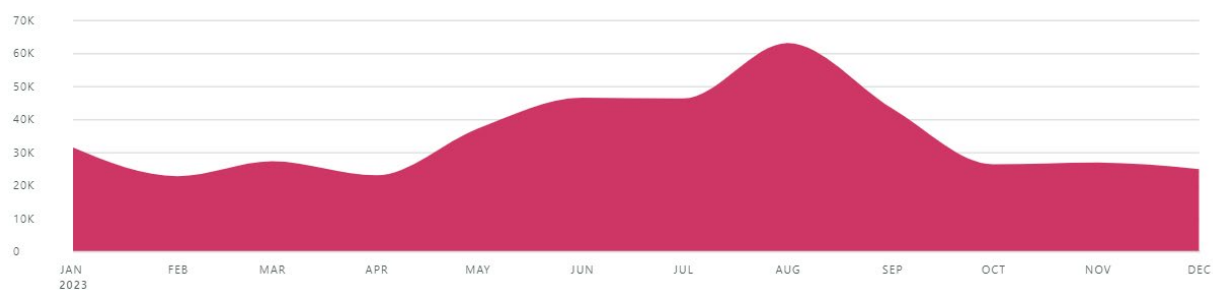
Top Content by Reach:

1. Chase and Angel School Zone Reel (7,305)
2. Evacuation Alert Graphic (6,416)
3. Sam Reed Signal Box Reel (5,328)
4. Lt. Johnson Fireworks Reel (3,006)
5. YC Police Roundtable Invite Reel (2,049)
6. YC Summit Invite Reel (2,025)
7. Washington Blvd Ribbon Cutting Reel (1,995)
8. Second Street Festival Recap Reel (1,870)
9. SummerFEST One-Week Away Reel (1,847)
10. YC Climate Change Roundtable Reel (1,842)

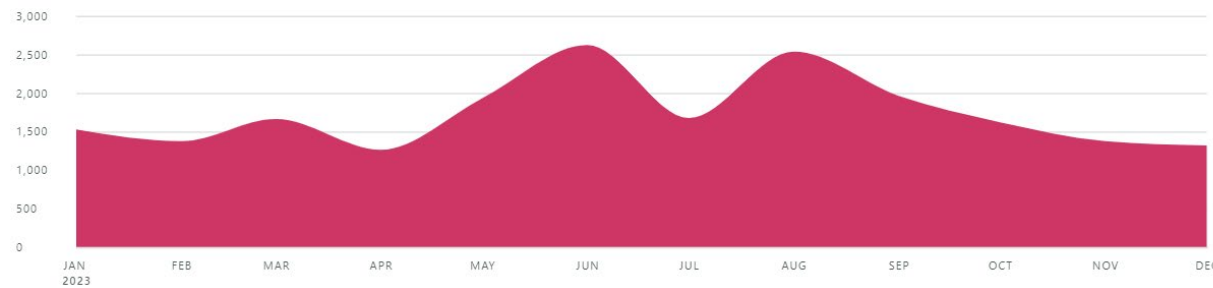
Net Audience Growth by Month



Impressions by Month



Engagements by Month

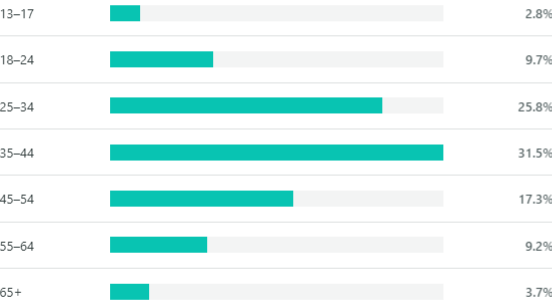


Demographics

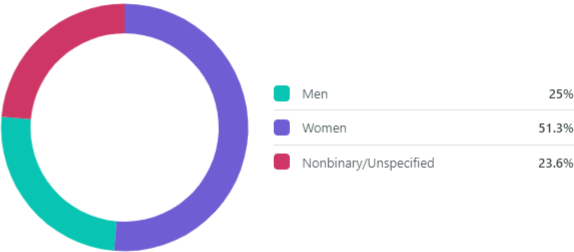
Audience Demographics

Review your audience demographics as of the last day of the reporting period.

Audience by Age



Audience by Gender



Women between the ages of 35-44 have a higher potential to see your content and visit your Page.

Key Takeaways:

- Reels and video content wildly outperform other content
- Almost anything to do with Youth, specifically high schoolers, performs well
 - Not necessarily being interacted with by the high schoolers themselves though
- Very high **younger millennial** following
 - probably younger moms interacting with our content
- Graphics perform poorly **except in emergency (evacuation)**
 - Updating information is difficult, most people just share the graphic even days later
- Carousels have higher engagement than a singular photo (prompts people to interact and swipe)
- No evidence that collaboration with other accounts influences impressions or engagements

City Facebook

2023 Full-Year Stats

compared to 2022

Net New Followers: 1,781 - **compared to 840**

Impressions: 3,654,512 - **382.2%** ↗

Engagements: 228,718 - **179.8%** ↗

- 6.3% engagement rate - **4.5%** ↘

13,445 Total Followers - **30%** ↗

600 Published Posts - **compared to 259**

193,989 Total Video Views - **549.2%** ↗

Top Content by Engagements:

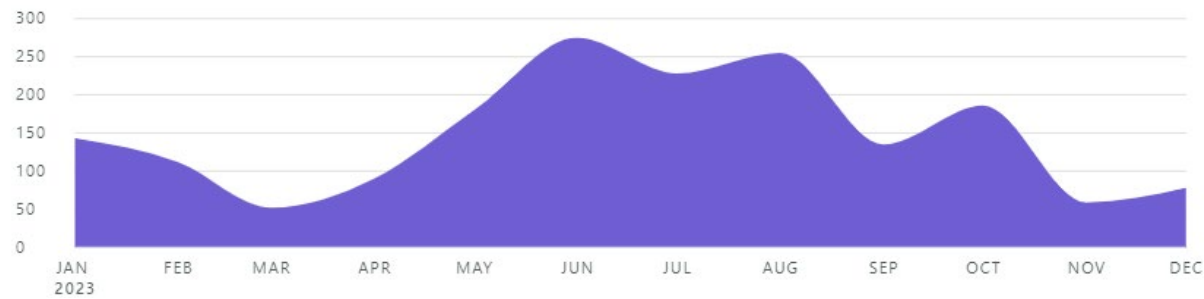
1. First Speed Emphasis Warning (9,393)
2. Poison Hemlock Dog Park (5,152)
3. April Fools Roundabout Expansion (3,299)
4. Second Speed Emphasis Warning (2,790)
5. Motor Ave Renaming (2,302)
6. Dancing in the Streets Event Posting (2,246)
7. Fiesta de la Familia Event Posting (2,237)
8. Life has returned to Ft. Steilacoom Park (1,700)
9. Wotan the Fairy Smasher at Farmers Market (1,681)
10. SummerFEST Parking Map (1,603)



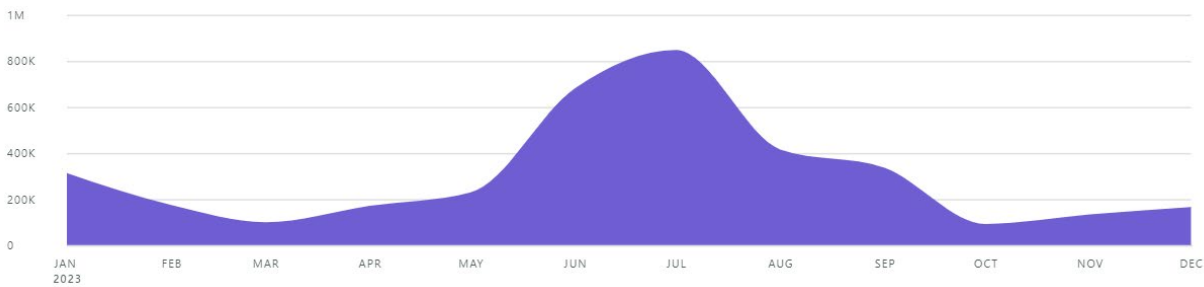
Top Content by Reach:

1. Bags over stop signs (109,497)
2. Fiesta de la Familia Event post one (84,708)
3. Fiesta de la Familia Event post two (65,371)
4. First Speeding Emphasis Warning (51,423)
5. Poison Hemlock Dog Park (50,344)
6. Second Speeding Emphasis Warning (31,090)
7. Washington Blvd reopening to traffic (23,844)
8. Dancing in the Streets event post (13,883)
9. Paving beginning on Washington Blvd (12,557)
10. Farmers Market Detour Map (12,539)

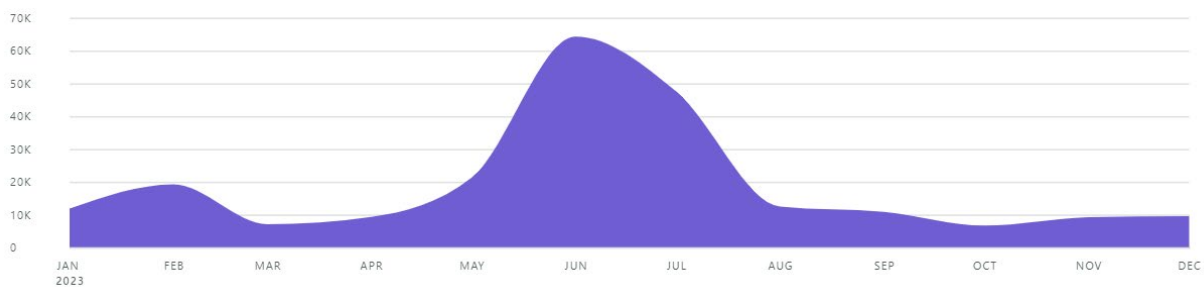
Net Audience Growth by Month



Impressions by Month

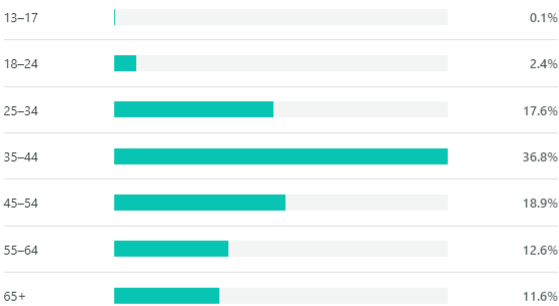


Engagements by Month

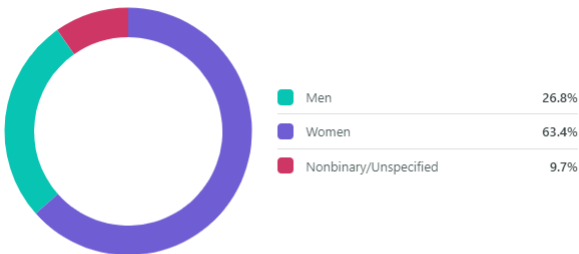


Demographics

Audience by Age



Audience by Gender



Women between the ages of 35-44 have a higher potential to see your content and visit your Page.

Key Takeaways

- Very high **older Millennial/Gen X** following
 - Almost no younger Millennial/Gen Z audience
 - Probably moms of pre-teens to young adults
- Graphics perform well
- People love drama, top shared content is emergency, public safety or traffic related
- Audience has a sense of humor, maybe don't give them enough credit
- Videos and Reels do not perform as well as Instagram
 - Probably because of audience difference
- People seem to use our Facebook as more of an information stream (PSA, Announcements, News) as opposed to entertainment
 - Point-in-time information does well



Lakewood Police Department Social Media 2023 Annual Report

Instagram – (Created July 2022)

2023 Full-Year Stats

141 Published Posts
451 Net Followers
68,904 Impressions
3,944 Engagements
27,135 Video Views

Reporting Period: 1/1/23 – 6/30/23

compared to previous 6-month period

Net New Followers: 172 - **compared to 164**

Impressions: 16,425 - **317.3%** ↗

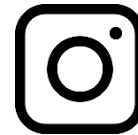
Engagements: 917 - **232.2%** ↗

- 5.6% engagement rate - **1.4%** ↘

339 Total Followers - **104.2%** ↗

54 Total Posts - **compared to 30**

6,609 Total Video Views



Reporting Period: 7/1/23 - 12/31/24

compared to previous 6-month period

278 Net Followers - **compared to 172**

Impressions: 52,479 - **218.5%** ↗

Engagements: 3,027 - **230.1%** ↗

- 5.8% engagement rate - **.2%** ↗

617 Total Followers - **82%** ↗

87 Total Posts - **compared to 54**

20,256 Total Video Views - **210.6%** ↗

Top Content by Engagements:

1. Post flag raising photo carousel (165)
2. Pre flag raising photo carousel (148)
3. Fiesta de la Familia Reel (116)
4. Shop with Officer photo carousel (111)
5. Happy Halloween Reel (102)

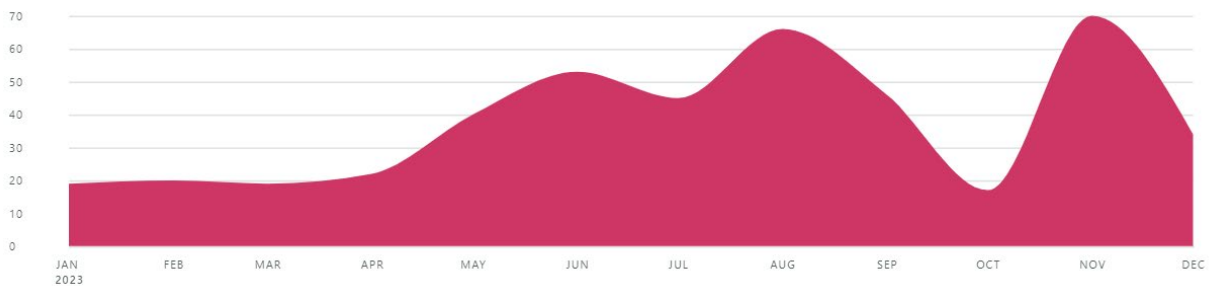
6. K9 Officer Kira photo carousel (101)
7. Recruiter Vehicle carousel (101)
8. K9 Hawk Halloween photo (97)
9. School Zone Reel (96)
10. Chief's Awards carousel (94)

Top Content by Reach:

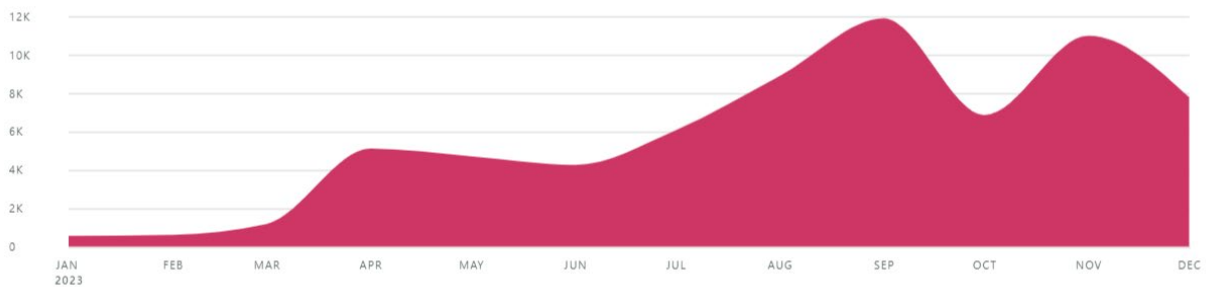
1. Citizen's Academy Reel (2,484)
2. Fiesta de la Familia Reel (2,130)
3. Halloween Reel (1,770)
4. School Zone Reel (1,769)
5. WA State Fair Reel (1,444)

6. Thank You Lakewood (1,043)
7. Marine Services Unit Reel (97)
8. Speeding Emphasis Reel (945)
9. School Zone Emphasis Reel (923)
10. Drive Safe Reminder (878)

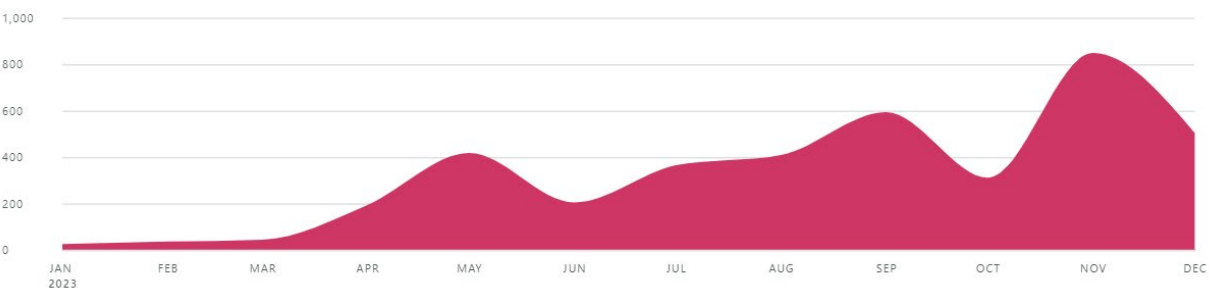
Net Audience Growth by Month



Impressions by Month

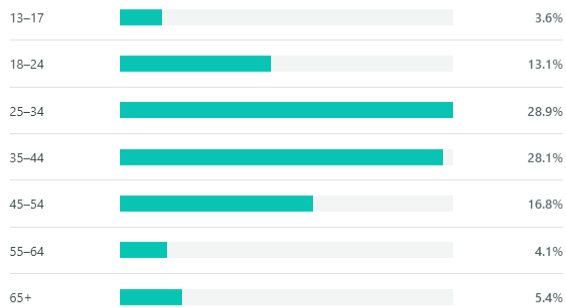


Engagements by Month

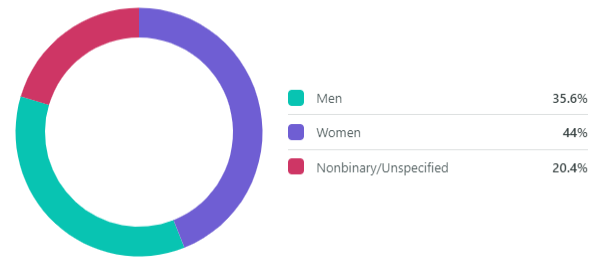


Demographics

Audience by Age



Audience by Gender



Women between the ages of **25-34** have a higher potential to see your content and visit your Page.

Key Takeaways:

- Audience is almost all Millennials
 - High percentage of men
- Videos receive significantly more impressions and have larger reach than carousels or photos
- Carousels have much better engagement and work better for general fun content
- Relatable, “neighborhood” content outperformed all other content
- Point-in-time information performs poorly on this platform
- Graphics and flyers perform poorly on this platform
- Dogs

Police Facebook

2023 Full-Year Stats

compared to 2022

2,538 Net Followers - **compared to 1,661**

Impressions: 1,434,718 - **73.1%** ↗

Engagements: 241,869 - **97.4%** ↗

- 17% engagement rate - **2.1%** ↗

21,896 Total Followers - **13.1%** ↗

209 Published Posts - **compared to 86**

53,750 Total Video Views - **621.2%** ↗

Top Content by Engagements:

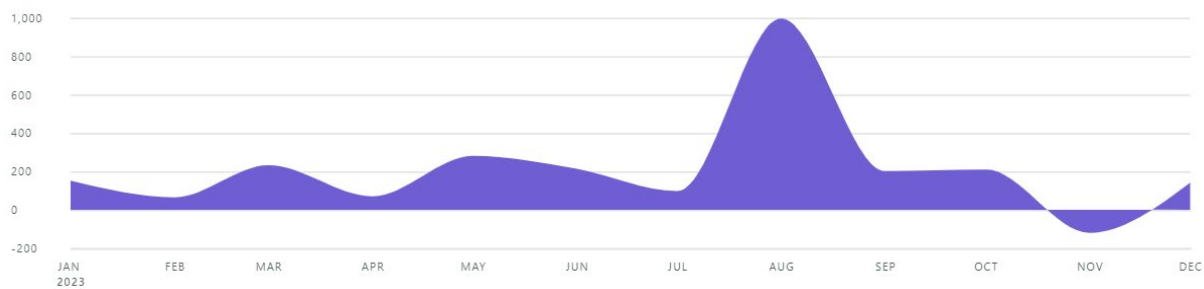
1. Truck in American Lake (119,840)
2. Evacuation Alert (18,754)
3. Deceased person in Waughop (11,529)
4. Shooting on Gravelly Lake Drive (7,052)
5. Wanted Dollar Tree Guy (6,103)
6. New car designs (5,331)
7. Waughop fire trail update (4,601)
8. Target/Panera incident (3,512)
9. Shop with an Officer (3,429)
10. American Lake shooting info request (3,200)



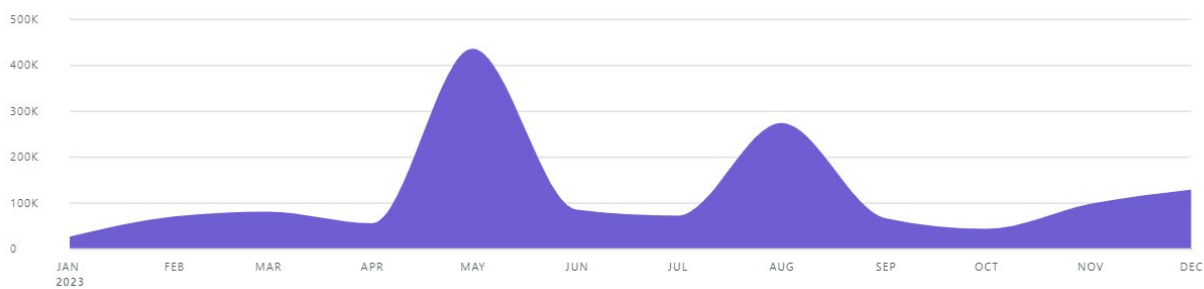
Top Content by Reach:

1. Truck in American Lake (335,226)
2. Evacuation Alert Update (76,276)
3. Wanted Dollar Tree Guy (34,376)
4. Identify Hit and Run Bulletin (29,642)
5. Gravelly Lake Shooting (28,789)
6. Deceased person Waughop (24,854)
7. Road Closed S. Tacoma Way for collision (23,466)
8. Waughop fire trail update (22,076)
9. Food Drive promo post (16,569)
10. Photo of Ron Banner and Gildehaus – no caption? (16,001)

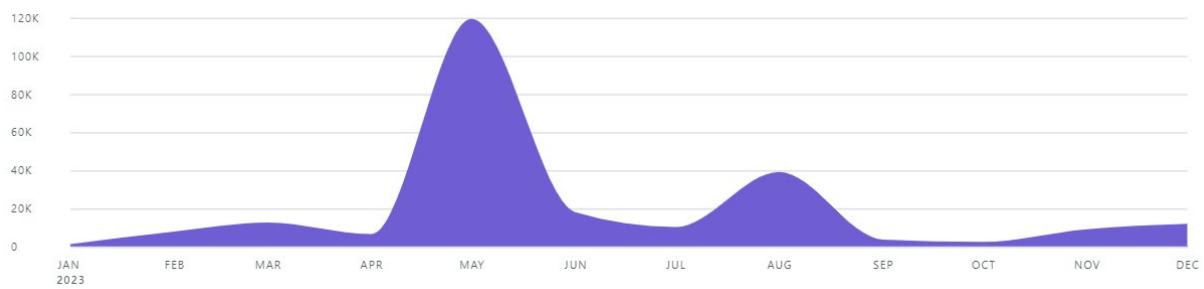
Net Audience Growth by Month



Impressions by Month

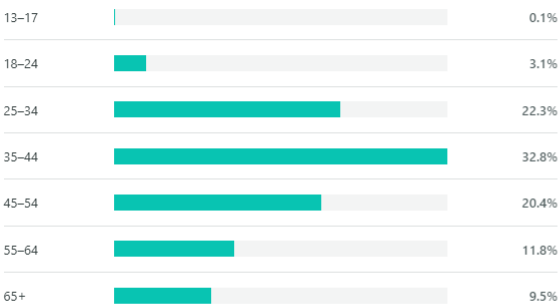


Engagements by Month

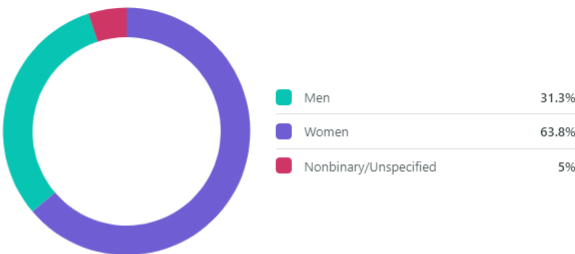


Demographics

Audience by Age



Audience by Gender



Women between the ages of 35-44 have a higher potential to see your content and visit your Page.

Key Takeaways

- Audience is Millennials/Gen X
 - Large portion is women
- Point-in-time posts perform very well
- Official “Police Business” posts perform very well
- Reach and engagement are relatively similar
 - 17% engagement rate implies **very** involved following
- Branded graphics perform well on this platform (Evacuation Update, Traffic Update, Request for Information, etc.)
- Non-branded graphics perform very poorly (teachers vs. cops, St. Patrick’s Day, etc.)
- Reels don’t perform great, don’t do horrible



Lakewood Senior Activity Center Social Media 2023 Annual Report

Facebook

2023 Full-Year Stats

compared to 2022

Net New Followers: 78 - **compared to 70**

Impressions: 25,773 – **725.5%** ↗

Engagements: 2,311 – **2,981.3%** ↗

- 9% engagement rate – **6.6%** ↗

696 Total Followers – **12.8%** ↗

115 Published Posts - **compared to 4**

Top Content by Engagements:

1. Walk in the Park Promotion Photo (179)
2. Inge's 96th Birthday (159)
3. Fun Photos from Tea Party with Claire (101)
4. Holiday Parade Poster (91)
5. Happy Easter Walk Promotion (90)

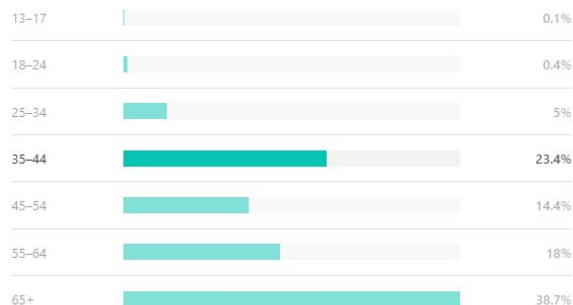


Top Content by Reach:

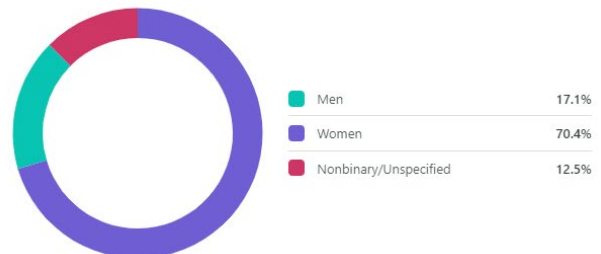
1. Walk in the Park Promotion Photo (1,655)
2. Holiday Parade of Lights Poster (1,221)
3. Walk with Fido December (1,187)
4. Walk with Fido October (1,090)
5. Walking into the New Year! Photo (980)

Demographics

Audience by Age



Audience by Gender



Women between the ages of 65+ have a higher potential to see your content and visit your Page.

Key Takeaways

- Posting more often helps keep awareness of the page up
 - More likely people will come here for information or share information
- Audience is mostly Gen X/Boomers, but large portion is older Millennials
 - Millennials are probably children of senior center members
 - 70.4 percent of the following are women
- Audience likes to see photos of other members interacting with the activities (walk in the park promotion, Inge's birthday, tea party photos).
- Photos and fliers do great, videos do not do good
- **Very high engagement rate** - This implies that they are not in fact "lurkers" as they call themselves, but very engaged. Nine percent engagement rate is the highest of all accounts.



City of Lakewood 2023 Website Analytics

In July of 2023, Google updated from Google Analytics 3 to GA4. As a result, a year-over-year comparison is not possible. The analytics shown are 2023 only.

Overview

Total Numbers

Total Users: 288,390

New Users: 284,158

Total Page Views: 1,071,497

Average View Time: 1m 04s

Top Visited Pages by Page Views

1. Welcome to City of Lakewood (Home Page) – 104,324
2. Lakewood Police Department – 53,679
3. SummerFEST – 47,731
4. Development Services – 47,696
5. Lakewood Farmers Market – 42,051
6. Fort Steilacoom Park – 35,946
7. Municipal Court – 30,876
8. Pay my Fine – 24,164
9. Summer Nights at Pavilion Concerts – 21,968
10. Lakewood Events – 20,103

Top Visited Pages by Unique Users

1. Welcome to City of Lakewood (Home Page) – 39,368
2. Lakewood Police Department – 22,980
3. SummerFEST – 17,336
4. Lakewood Farmers Market – 16,056
5. Fort Steilacoom Park – 15,916
6. Municipal Court – 11,381
7. Development Services – 10,505
8. Pay my Fine – 8,917
9. Garbage, Recycling and Waste – 8,868
10. Summer Nights at Pavilion Concerts – 8,450

Geography and Languages

Percent of Users by City

1. Seattle – 25%
2. Tacoma – 13%
3. Lakewood – 8%
4. Not Set – 7%
5. Los Angeles – 2%
6. Misc. – 45%

Percent of Users by State

1. Washington – 59%
2. California – 16%
3. Oregon – 6%
4. Colorado – 5%
5. Nevada – 2%
6. Misc. – 12%

Top Translated Languages

1. Spanish
2. Chinese
3. German
4. Russian
5. Italian
6. Korean
7. Filipino
8. Japanese
9. French
10. Samoan

Top Translated Pages

1. Home Page
2. Email Protection Link
3. Permit Center
4. City News
5. Government Relations
6. About Lakewood
7. City Council
8. Police Home Page
9. Community Development
10. Garbage, Recycling, Waste

Technology

Percent of Users by Device

1. Mobile – 62.4%
2. Desktop – 35.6%
3. Tablet – 2%

Percent of Users by Operating System

1. iOS – 44%
2. Windows – 27%
3. Android – 21%
4. Macintosh – 8%
5. Other – <1%

Percent of Users by Browser

1. Chrome – 42%
2. Safari – 41%
3. Edge – 7%
4. Safari (in-app) – 5%
5. Other – 5%

Percent of Users by Acquisition

1. Organic Search – 65%
2. Direct – 22%
3. Referral – 7%
4. Organic Social – 6%
5. Organic Video – <1%



MEMORANDUM

TO: Lakewood City Council

THROUGH: John Caulfield, City Manager 

FROM: Dave Bugher, Assistant City Manager/Community & Economic Development Director

DATE: February 26, 2024

SUBJECT: New Building Codes

Some History: The adoption of the 2021 building codes has had something of an unusual history. It has been delayed twice by lawsuits. The State Building Code Council (SBCC)¹ voted on May 24, 2023, to delay the effective date of the 2021 codes for 120 days, which changed the effective date from July 1, 2023 to October 29, 2023. Then, on September 15, 2023, the State Building Code Council agreed on another delay. The new effective date for all building codes is March 15, 2024.

The 2021 editions of the code will include:

1. 2021 International Building Code (includes the 2021 International Existing Building Code, 2021 International Swimming Pool and Spa code, and 2017 ICC/ANSI A117.1);
2. 2021 International Residential Code;
3. 2021 International Mechanical Code (includes the 2021 International Fuel Gas Code, 2020 Liquefied Petroleum Gas Code (NFPA 58), and 2021 National Fuel Gas Code (NFPA 54) as it applies to LP Gas installations;
4. 2021 International Fire Code;
5. 2021 Wildland-Urban Interface Code;
6. 2021 Uniform Plumbing Code;
7. 2021 Washington State Energy Code; and
8. National Electrical Code (NFPA 70).

Two of the new sets of codes pose challenges to local regulators and builders, the 2021 Washington State Energy Code, and the 2021 Wildland-Urban Interface Code (IWUIC),

¹ The SBCC is a state agency created by the legislature to provide independent analysis and objective advice to the legislature and the Governor's Office on state building code issues. The Council establishes the minimum building, mechanical, fire, plumbing and energy code requirements necessary to promote the health, safety and welfare of the people of the state of Washington, by reviewing, developing and adopting the state building code. The SBCC consists of 15 voting members who are appointed by the Governor.

State regulators are pushing for electrification and decarbonization as Washington has a mandate requiring that new residential and nonresidential construction achieve a 70-percent reduction in annual net energy consumption compared to 2006 levels. For newly constructed habitable structures, the new building and energy codes will require additional insulation and other measures to improve energy efficiency. Over time, this will contribute to climate resiliency and, ideally, lower energy costs for residents and businesses.

Another update from the SBCC are the new regulations under the International Fire Code, referred to as the IWUIC zones. The IWUIC establishes requirements for land use and the built environment within designated Wildland Urban Interface (WUI) areas using prescriptive and performance provisions. The IWUIC establishes minimum special regulations for the safeguarding of life and property from the intrusion of wildfire.

Code Council members delayed the code's effective date to March 2024, but also convened technical advisory groups to consider revisions ensuring the new code complies with the federal Energy Policy and Conservation Act.

The SBCC is still litigating a lawsuit from Northwest Regional Council of The National Construction Alliance, et al, on adopted 2021 construction code rules where the State Energy Code would ban or restrict the use of natural gas appliances in commercial and residential buildings and other State Building Code Council rules.

Further, the Legislature is not done “baking” the IWUIC.

What does this mean for the City of Lakewood? Lakewood is required to adopt construction codes, as amended by the Washington State Building Code Council. For the majority of the new codes, Lakewood CED Building Division has no issues. Normally, every three-years, CED brings forward revised building code regulations for City Council action. This is usually a routine, non-controversial action.

This year is different given the SBCC lawsuit, and the latest proposed IWUIC legislative amendments. For the IWUIC, we're getting down to the wire. All agencies, including Lakewood, will struggle with implementation.

The remainder of this memorandum will provide a summary of what we think to expect between now and March 15.

Energy Codes: In 2009, the Washington State Legislature and the Governor signed Senate Bill 5854, which directed the SBCC to adopt state energy codes between 2013 through 2031 that incrementally move toward achieving the seventy percent reduction in annual net energy consumption and to regularly report on progress to the legislature (RCW 19.27A.160). Since this legislation, the SBCC has made regular updates to the energy code, basing both the commercial and the residential codes on the latest IECC model codes with Washington-specific amendments.

The 2021 energy code represents an incremental improvement over the 2018 energy codes, which is by design. With each code cycle the cost to achieve the additional energy reduction is higher than it was for the previous code. Federal law is also influencing state code development and adoption.

There are always concerns with new codes and their impacts on construction costs, and even more so with residential construction. Highlights of significant measures adopted for

residential construction are listed below. These measures will apply for new construction, additions, and in some cases remodels.

- Heat Pump Space Heating: This new section requires that space heating be provided by a heat pump—either gas or electric—as a method to reduce greenhouse gas emissions and save energy. There are exceptions, however.
- Heat pump Water Heating: This new section requires that service water heaters in single family dwellings, duplexes and townhouses be provided by heat pump water heaters. Exceptions are provided for small water heaters, small dwelling units, supplemental water heating systems, and some renewable energy systems. This includes allowances for both gas and electric heat pump water heaters.
- Definition of Residential Building: This definition change alters the scope of the Washington State Energy Code, Residential Provisions to resemble more closely that of the International Residential Code. Multifamily buildings with dwellings directly accessed from the outdoors will remain in the residential provisions, but other types of residential buildings are moved under the commercial provisions.
- Additional Efficiency Credits: The number of credits required was adjusted based on the estimated savings needed to meet the 14% savings goal over the 2018 code.
- Maximum Air Leakage Rate (enclosure air tightness): Requirements for roofs, walls, windows etc. to control heat loss and air leakage (The maximum leakage rate was reduced.)
- Water Heater Location: This section requires that water heaters be located within conditioned space except for highly efficient water heaters where the standby losses are overcome by the efficiency of the unit performance. An exception is provided for heat pump water heaters.

(NOTE: There is so much change underway, we could not find up-to-date FAQs to provide to the City Council.)

2021 Wildland-Urban Interface Code (IWUIC): The IWUIC is a model code intended to supplement the adopted building and fire codes of a jurisdiction. The IWUIC establishes minimum requirements for the safeguarding of life and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and prevents structure fires from spreading to wildland fuels, even in the absence of fire department intervention. Safeguards to prevent the occurrence of fires and to provide adequate fire protection facilities are provided through a tiered approach commensurate with the level of hazard present.

The key components of the IWUIC include:

- Ignition-resistant construction;
- Defensible space;
- Emergency vehicle access;
- Water supply;
- Fire sprinklers; &
- Chimneys with spark arrestors.

In addition, the IWUIC also supports community resilience planning. An adverse event, like a wildfire, reveals the importance of both a coordinated approach to resilience across multiple

community functions and the impacts that can occur across local economies. The IWUIC recognizes the benefits of an all-inclusive approach to addressing risks and enhancing community resilience. Protection from wildfires relies on a community-wide approach that engages multiple actors.

A key component of IWUIC is identifying the urban interface, which is a mapping exercise, and here we have a problem. The Washington State Department of Natural Resources has adopted a map based on vegetation density. Based on that map, about one-quarter of Lakewood is in a Wildland Urban Interface or WUI. Please see Figure 1.

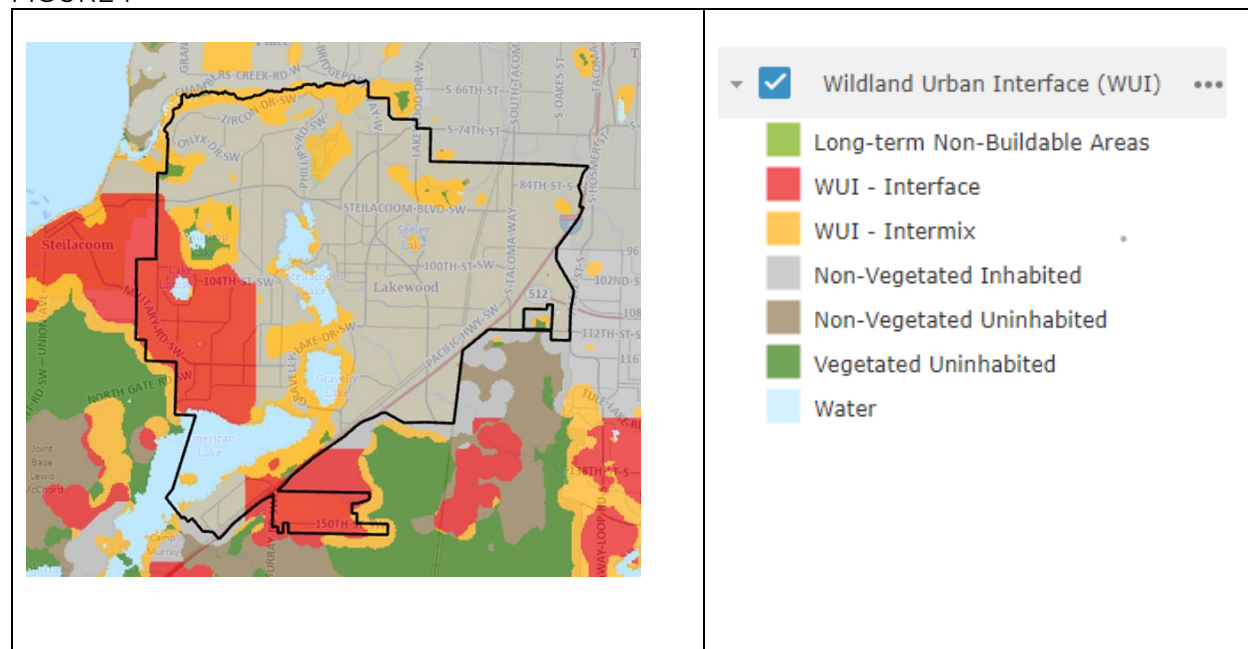
Lawmakers in 2018 asked the SBBCC to write wildfire safety rules for new construction and remodeling based, in part, on a map from the Department of Natural Resources (DNR) that outlines areas in the state considered to be in the wildland urban interface. DNR's map in relation to Lakewood is shown in Figure 1. However, the map ignores the fundamental differences in wildfire risk in different parts of the state. Their map is not consistent with other agencies' processes for determining fire risk, including the Federal Emergency Management Agency's Wildfire Risk Index, and the U.S. Forest Service's Wildfire Risk to Communities process.

DNR makes it clear that its map is not intended to provide an end-all assessment of fire risk, but rather a "tool" to help gauge it.

Herein lies the quandary for most building departments across the state. We have new code construction rules, but no credible WUI map. And the due date for implementation is March 15.

Another concern with the IWUIC is the strict standards for trees and other vegetation around homes. Within a property's 30 to 100 feet of defensible space, the code requires owners to regularly remove dead wood, tree litter and other vegetation that can burn. Trees planted in that space must be at least 10 feet apart from each other as well as 10 feet from structures. This clashes with climate mitigation plans and our own tree preservation code.

FIGURE 1



Engrossed Senate Bill 6120: This legislation is a hurried response. The bill states that the state will prepare a wildfire hazard map, and a base-level wildfire risk map for each county. We think that DNR will prepare these maps, and we are of the opinion it may take up to two years.

The legislation provides that cities and counties can prepare their own wildfire maps. This is what it says,

“All counties, cities, and towns may complete their own wildfire hazard and base-level wildfire risk map for use in applying the code... Counties, cities, and towns may continue to use locally adopted wildfire risk maps until completion of a statewide wildfire hazard map and base-level wildfire risk map for each county of the state per RCW 43.30.580. Six months after the statewide wildfire hazard map and base-level wildfire risk map is complete, any map adopted by counties, cities, and towns must utilize the same or substantially similar criteria as the map required by (this code).”

Where does this leave Lakewood?

1. *First of all, we're still waiting on the IWUIC state legislation to be adopted!*
2. As of this writing, February 13, 2024, we have just received comments from West Pierce Fire & Rescue. They are proposing minor, administrative amendments.

3. We could use the current DNR map, but we know it is inaccurate.
4. An extreme measure, Lakewood could adopt a building moratorium on new construction in the interface and intermix zones based on the DNR mapping, but again, this could be regarded as overreach, and, further, significantly frustrate property owners.
5. Lakewood can create our own maps, but that takes time and money. And any maps we create we would need to be coordinated with JBLM, the Town of Steilacoom, West Pierce Fire & Rescue, and Pierce County. These maps would only be good for a limited time until the state WUI maps are approved and published for Pierce County.
6. We do nothing, and wait for the state to create its own wildfire hazard map and base-level wildfire risk map². This means we adopt the state's codes, but until we have a WUI map, these codes are regarded as “inapplicable.” We estimate it will take the state two-years to come up with the appropriate maps.

This seems to be the direction that most building departments are headed – regarding the IWUIA codes as “inapplicable” at this time. West Pierce Fire & Rescue also supports this approach.

Recommendation: Proceed with adoption of the ICC acknowledging Items 2 and 6 on March 4.

² If one reviews the Pierce County Hazard Identification and Risk Assessment Report, 2020, **Lakewood is not identified within a wildland/urban interface fire zone.**

(Somewhat of a different subject, but the City may want to consider local energy code amendments at a later date in 2024 or early 2025 based on what we learn from administration.)

What to expect at the permit counter: Lots of frustration and angry clients! Challenges we expect to see:

- New energy code worksheets.
- The new energy code contains lots of nuances that are complex. Expect delays due to incomplete permit applications as applicants (and city officials) figure out how to navigate the new codes.
- Tied to the complexity issue, plan review will be more challenging.
- We are already experiencing a “run” on permit applications in an effort to beat the March 15 deadline. It is taxing current operations.
- Additional employee training is required (and will soon be underway). Only until very recently have classes been advertised and with limited availability. As a result, during this first quarter, we will partially shut down plan review and inspections for a period of one week – if the City can find contract plans examiners and inspectors.
- How the department addresses energy compliance in older homes is going to be a significant challenge. Experience has taught us that when new fixtures are required, they don’t always fit the way the code envisions.
- Permitting has gotten to be so difficult, contractors and some property owners will perform work without permits. How we approach compliance is a complicated issue. There is no desire for us to be heavy-handed. The desire is to work with applicants, however, we are not set up to do this because of resource constraints, and a shortage of inspectors and plan examiners in the market place.
- On the builder side, they may have to hire energy consultants to prepare calculations for permit applications. There could also be supply-chain issues, we’ll have to wait and see.
- Come January, 2025, the state has adopted new standards for permit counter operations. Permit counters will be audited with penalties being imposed for permitting delays (caused by the city). This is going to require the permit counter to be exacting with the determinations of completeness and timelines.

Implementing the new codes is not going to be easy. Initial construction costs are going to increase. Permitting is going to be more difficult. However, any new buildings will be highly efficient and require less energy for heating, lighting, and cooling.

City of Lakewood City Council Study Session February 26, 2024

Adoption of the 2021 International Construction Codes
(with emphasis on the revised energy codes & new wildland-urban
interface codes)

Contents of the proposed ordinance:

1. 2021 International Building Code (includes the 2021 International Existing Building Code, 2021 International Swimming Pool and Spa code, and 2017 ICC/ANSI A117.1);
2. 2021 International Residential Code;
3. 2021 International Mechanical Code (includes the 2021 International Fuel Gas Code, 2020 Liquefied Petroleum Gas Code (NFPA 58), and 2021 National Fuel Gas Code (NFPA 54) as it applies to LP Gas installations;
4. 2021 International Fire Code;
5. 2021 Wildland-Urban Interface (WUI)Code;
6. 2021 Uniform Plumbing Code;
7. 2021 Washington State Energy Code; and
8. National Electrical Code (NFPA 70).

Important Takeaways for Council:

Construction codes go through a vetting process involving the legislature, the State Building Code Council (SBCC), BIAW, and WABO.

Once this is done, CED brings to Council a new set of construction codes every three-years. Council adopts through a city ordinance. Action is usually a business-item & noncontroversial.

New code is effective March 15, so the Council is required to adopt its ordinance by March 4.

This cycle of code amendments is different:

- Delays because of COVID;
- Delays caused by lawsuits;
- Introduction of stringent energy code regulations; &
- A new requirement called WUI.

Let's talk about the easy stuff!

Lakewood is required to adopt construction codes, as amended by the Washington State Building Code Council.

For the majority of the new codes, Lakewood CED Building Division has no issues, and a draft ordinance will be brought forward; draft ordinance will include some minor housekeeping amendments proposed by West Pierce Fire & Rescue.

And now the hard stuff - Energy Codes!

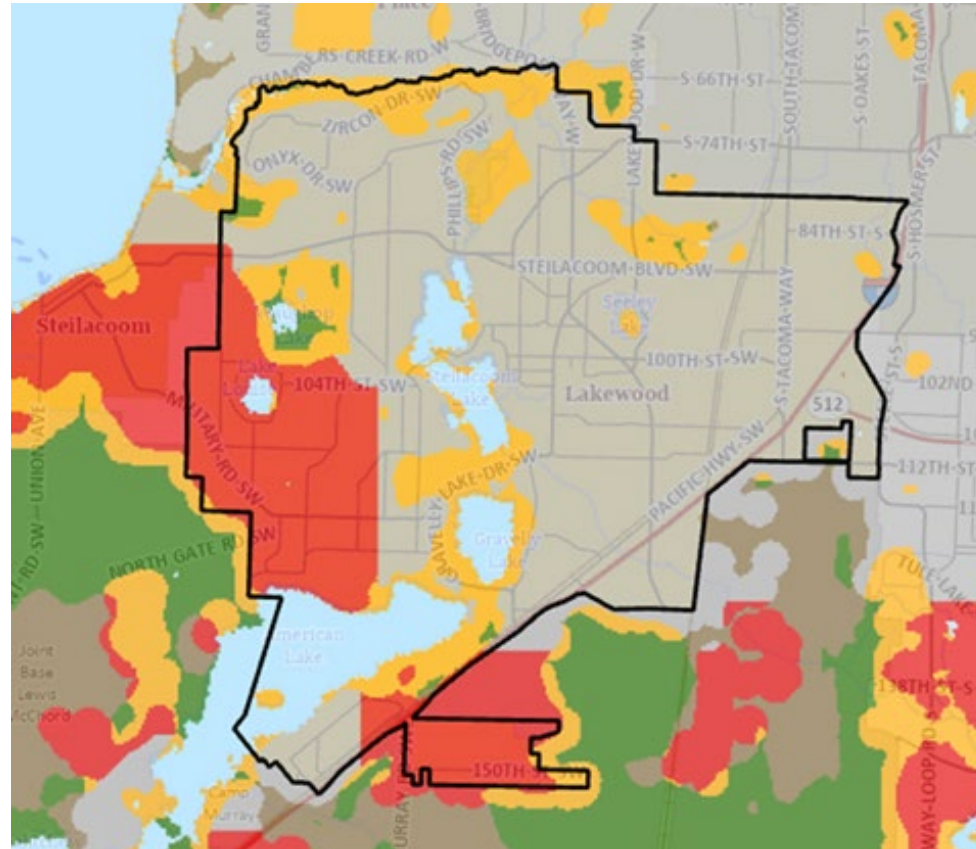
- In **2009**, the Washington State Legislature & Governor signed Senate Bill 5854, which directed the SBCC to adopt state energy codes between 2013 through 2031 that incrementally move toward achieving the seventy percent reduction in annual net energy consumption.
- Since this legislation, the SBCC has made regular updates to the energy code, basing both the commercial and the residential codes.
- The 2021 energy code represents an incremental improvement over the 2018 energy codes, which is by design.
 - ✓ With each code cycle **the cost to achieve the additional energy reduction is higher than it was for the previous code.**
 - ✓ **Federal law** is also influencing state code development and adoption.

And let's complicate things some more – WUI!

- WUI is a model code intended to supplement the adopted building and fire codes of a jurisdiction.
- Establishes minimum requirements for the safeguarding of life and property from the intrusion of fire from wildland fire exposures and fire exposures from adjacent structures and prevents structure fires from spreading to wildland fuels.
- The key components:
 - Ignition-resistant construction;
 - Defensible space;
 - Emergency vehicle access;
 - Water supply;
 - Fire sprinklers; &
 - Chimneys with spark arrestors.

The WUI Map...

A key component of WUI is identifying the urban interface, which is a mapping exercise, and here we have a problem. DNR has adopted a map based on vegetation density. Based on that map, about one-quarter of Lakewood is in a Wildland Urban Interface or WUI.



But there are problems with the map!

- The current map ignores the fundamental differences in wildfire risk in different parts of the state.
- The map is not consistent with other agencies' processes for determining fire risk, including the Federal Emergency Management Agency's Wildfire Risk Index, and the U.S. Forest Service's Wildfire Risk to Communities process.
 - (DNR makes it clear that its map is not intended to provide an end-all assessment of fire risk, but rather a "tool" to help gauge it.)
- And herein lies the quandary for most building departments across the state. We have new code construction rules, but no credible WUI map. (YIKES!)
- Another concern strict standards for trees and other vegetation around homes. Within a property's 30 to 100 feet of defensible space, the code requires owners to regularly remove dead wood, tree litter and other vegetation that can burn. Trees planted in that space must be at least 10 feet apart from each other as well as 10 feet from structures. This clashes with climate mitigation plans and our own tree preservation code.
- And the due date for implementation is March 15!

What is Lakewood to do?

We're waiting on revised state legislation, & this is where things get weird.

SHORT ANSWER - State is saying:

- (1) you can adopt your own map, or
- (2) wait until new state maps come out at which time if you did (1), now you have to adopt our new & improved state maps.

Our path (which is the same as everybody else):

Lakewood will adopt the WUI rules (because we have to) and wait for the new maps to come out. For all practical purposes, this means these regulations, while in place, are inapplicable until the maps are established.

Special note: We estimate that it will take the state 2 years to establish maps for each county.

What to expect at the permit counter

- The new energy code contains lots of nuances that are complex. Expect delays due to incomplete permit applications as applicants (and city officials) figure out how to navigate the new codes.
- We are already experiencing a “run” on permit applications in an effort to beat the March 15 deadline. **It is taxing current operations!**
- **How the department addresses energy compliance in older homes is going to be a significant challenge.** Experience has taught us that when new fixtures are required, they don’t always fit the way the code envisions.
- On the builder side, they may have to hire energy consultants to prepare calculations for permit applications. There could also be supply-chain issues, we’ll have to wait and see.
- Tied to the complexity issue, plan review will be more challenging.
- Additional employee training is required (and will soon be underway). However, only until very recently have classes been advertised & with limited availability. As a result, during this first quarter, we will partially shut down plan review and inspections for a period of one week – if the City can find contract plans examiners & inspectors.
- Permitting has gotten to be so difficult, contractors and some property owners will perform work without permits. How we approach compliance is a complicated issue.
- Come January, 2025, the state has adopted new standards for permit counter operations. Permit counters will be audited with penalties being imposed for permitting delays (caused by the city). This is going to require the permit counter to be exacting with the determinations of completeness and timelines.



TO: Mayor and City Council

FROM: Heidi Ann Wachter, City Attorney

THROUGH: John J. Caulfield, City Manager

DATE: February 26, 2024

SUBJECT: Review of Ordinance related to Mandatory Minimum Jail Sentences

This is to review options for addressing persistent misdemeanor offenders in the city and the potential impact of legislating “mandatory minimum” penalties for persistent offenders.

Currently, most standard misdemeanors are subject to a jail term of 0-90 days and a fine of up to \$1,000. Gross misdemeanors are punishable by 0-364 days and a fine of up to \$5,000. State law mandates certain minimum penalties for particular offenses, for example Driving Under the Influence and Driving Without a License in the First Degree (formerly Habitual Traffic Offender) each carry mandatory jail time which varies depending on certain facts and criminal history.

Ultimately, when defendants come before the court, the City Prosecutor will recommend a penalty and the Court imposes the penalty deemed appropriate by the Court. Typically, the resulting sentence is based on the severity of the offense and the criminal record of the offender. The City Prosecutor and the Judge each have independent discretion within the bounds of the law to recommend or impose a sentence anywhere within the range identified in the law.

Setting mandatory minimums for repeat offenders would constrain the discretion allowed in sentencing by legislating the minimum penalty for offenders who meet the criminal history threshold. Following the model of the City of Marysville, the city would define the following crimes as “Public Disorder Crimes”: theft in the third degree, vehicle prowling, criminal trespass, and possession of a controlled substance. Preliminary rough data collection suggests that theft and criminal trespass account for a little over 10% of the city’s misdemeanor caseload.¹

In terms of repeat offenders in these categories and again working with rough data collection the majority of repeat offenders are two-time offenders; the numbers drop by about half at 3 repeat offenses. These numbers represent only true

¹ Data from inception (March 1, 2017) to date (total cases 23,131) collected via LawBase system used by City Prosecutor shows Theft 3 at 1,732 and Criminal Trespass 1 and 2 at 1,052, or 7.4 and 4.5 percent of total volume, respectively.

duplication of offense and we do not yet have information showing repeats within the overall “Public Disorder Crime” category.²

The proposed ordinance departs from the City of Marysville in counting only convictions as priors. This would mean that the City Prosecutor would need to have prior criminal convictions in order to count toward application of the mandatory minimum sentence. To count arrests or plea agreements that do not result in conviction risks liability for violation of constitutional due process rights of offenders.³

Since the adoption of the repeat offender ordinance by the City of Marysville, the City of Everett has adopted similar legislation. The Everett version authorizes the City Prosecutor to determine when to seek repeat offender penalties rather than mandating such penalties when the prior offenses are present. Prosecutors already have this authority and can seek any sentence up to the maximum authorized by law.

The primary benefit of codifying mandatory minimum penalties is that it is a clear message regarding the city’s position on the crimes identified. Mandatory minimums could also incentivize treatment if that is an alternative to serving the mandated sentence, as is part of the proposed ordinance and current law in Marysville and Everett.

A Challenge to codifying mandatory minimum penalties is that it risks setting expectations that may not be met. The City Prosecutor retains the right to not charge cases or ultimately dismiss them. The Court retains the right to find defendants not guilty. To the degree there are more offenders spending more time in jail as a result of the ordinance, it will be an expense to the city.

A proposed ordinance to enhance penalties for repeat offenders has been prepared. The recommendation is to provide policy guidance that the city is interested in lowering rates of recidivism, particularly in the area of what would be considered Public Disorder crimes. The statistical analysis should be reviewed quarterly to see whether trends result from increased attention to these cases.

² Data from inception (March 1, 2017) to date (total 2,714 of these case types; roughly averaging 452 per year) collected via LawBase system used by City Prosecutor shows total repeat offenders at 18% of total cases as follows: 11% with 2 charges; 2% with 3 charges; and 3% with 4+ charges.

³ An offender appearing before the court for a new charge while being tracked by the court on a previous plea agreement should be brought before the court for violation of the plea agreement. Such violation should result in a conviction, though that is a determination made by the Court. To count the plea agreement as a prior could result in a Constitutional challenge. Essentially, punishment for the previous plea agreement under a new charge potentially deprives the offender from a full defense from penalties under the plea agreement.

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, CREATING A NEW SECTION OF THE LAKEWOOD MUNICIPAL CODE, LMC 9.16 SETTING MANDATORY MINIMUM SENTENCES FOR CERTAIN CRIMES, CREATING A CRIME OF ESCAPE IN THE THIRD DEGREE – ABSCONDING FROM TREATMENT.

WHEREAS, citizens and businesses in Lakewood have been negatively affected by crimes such as theft, criminal trespass, and the public use of illegal drugs and these negative effects include increased public disorder, financial loss, and decreased physical safety; and

WHEREAS, these negative effects discourage the utilization of public amenities in Lakewood, discourage business, and negatively affect our residents' quality of life; and

WHEREAS, there is a population of offenders who reoffend sufficiently frequently that the impact is disproportionately represented in both damage in the community and resource use for the city; and

WHEREAS, sentences for criminal offenses should be proportionate to both the seriousness of the crime and the prior criminal history; and

WHEREAS, in the same way that first-time offenders should be considered for less restrictive sentencing alternatives, those who repeatedly and persistently offend should be considered for significant sentencing such as meaningful jail time; and

WHEREAS, public health and safety will be enhanced by holding repeat offenders accountable and deterring individuals from engaging in repeat criminal behavior.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. A new section is added to Title 9, Chapter 9.16.010 entitled Mandatory Minimum Sentences for Public Disorder Crimes. of the Lakewood Municipal Code as set forth in Exhibit A.

SECTION 2. A new section is added to Title 9, Chapter 9.16.020 entitled Escape in the third degree – Absconding from treatment of the Lakewood Municipal Code as set forth in Exhibit B.

SECTION 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 4. Upon approval by the city attorney, the city clerk or the code reviser are authorized to make necessary corrections to this ordinance, including scrivener's errors or clerical mistakes; references to other local, state, or federal laws, rules, or regulations; or numbering or referencing of ordinances or their sections and subsections.

SECTION 5. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the City Council this 4th day of March, 2024.

CITY OF LAKEWOOD

Jason Whalen, Mayor

Attest:

Briana Schumacher, City Clerk

Approved as to form:

Heidi Ann Wachter, City Attorney

EXHIBIT A

9.16.010 Mandatory Minimum Sentences for Public Disorder Crimes.

(1) "Public Disorder Crime" means theft in the third degree, vehicle prowling in the second degree, criminal trespass in the first degree, criminal trespass in the second degree, and/or possession of controlled substance.

(2) Upon a conviction for any Public Disorder Crime charged on or after the effective date of this ordinance, the municipal court shall impose a mandatory minimum sentence of no less than 30 days in jail if, within the five years prior to the date of violation for the pending crime, the defendant had in the state of Washington any prior convictions for Public Disorder Crimes.

(3) If a defendant is convicted of two or more Public Disorder Crimes on the same date and the offenses occurred on separate dates, then a mandatory minimum sentence may be separately imposed for each Public Disorder Crime conviction.

(4) Post-Sentencing Petitions.

(a) A defendant sentenced to a mandatory minimum sentence under this section and serving the sentence may petition the municipal court for relief from the sentence if he or she meets the following criteria:

(i) a qualified professional has determined that the defendant would benefit from in-patient drug or alcohol treatment;

(ii) the defendant has a specific bed date to enter the treatment program during the defendant's commitment to jail;

(iii) the defendant executes a waiver to release information to the city regarding the defendant's presence in the treatment facility and whether the defendant successfully completed the treatment program;

(iv) the defendant agrees in writing to attend treatment and comply with all treatment recommendations; and

(v) the municipal court finds that treatment is an appropriate alternative to jail.

(b) If the municipal court grants the petition, the judge may enter an order of release with appropriate conditions. The court will advise the defendant of the penalties for escape in the third degree – absconding from treatment.

(c) If the defendant provides proof of successful completion of treatment to the satisfaction of the municipal court, the court may suspend any remaining jail time.

(5) A defendant who otherwise would be subject to a mandatory minimum sentence under this section and who is admitted to the city's Veterans Court or Community Court, is subject to a mandatory minimum sentence under this section if he or she opts out of the program or fails to complete the program.

EXHIBIT B

9.16.020 Escape in the third degree – Absconding from treatment

A person subject to a mandatory minimum sentence imposed under section 9.16.010 of the Lakewood Municipal Code who was released by court order to treatment and who fails to appear for treatment or leaves the treatment facility without an order of the court, is guilty of escape in the third degree – absconding from treatment. Escape in the third degree - absconding from treatment is a misdemeanor on the first offense and subject to a mandatory minimum sentence of 30 days in jail to run consecutively to the remaining time on the underlying mandatory minimum sentence and any suspended time that the court imposes. The court may order any sentence up to 90 days in jail and a \$1,000.00 fine. A second offense is a gross misdemeanor and subject to a mandatory minimum sentence of 90 days in jail to run consecutively to the remaining time on the underlying mandatory minimum sentence and any suspended time that the court imposes. The court may order any sentence up to 364 days in jail and a \$5,000.00 fine.