



City of Seattle

Seattle Police Department

June 3, 2013

Matthew Chu
Club Volume
13353 Bel Rd, Ste 205
Bellevue, WA 98005

Joseph and Vickie L. Bellotti
1701 S. Hanford Street
Seattle, WA 98144

VIA CERTIFIED AND FIRST CLASS MAIL OR PERSONAL SERVICE

RE: Declaration of Chronic Nuisance Property
Property located at 172 South Washington Street, Seattle, Washington 98104

Mr. Chu; Mr. Bellotti and Ms. Bellotti:

Mr. and Ms. Bellotti, upon investigation you have been identified as “owner” of the property listed above pursuant to Seattle Municipal Code (SMC) 10.09.010.

Mr. Chu, upon investigation you have been identified as the “Person in Charge” of the nuisance property, specifically Club Volume, on the address listed above pursuant to SMC 10.09.10.

Pursuant to the authority granted to me as Acting Chief of Police of the Seattle Police Department (SPD) under Seattle Municipal Code (SMC) 10.09, I have declared the property located at 172 South Washington Street, Seattle, Washington 98104, as a Chronic Nuisance Property. This declaration was made based upon the following nuisance activities which have occurred on the property, as defined in SMC 10.09, during the last six month period:

1. **Robbery** – On January 1, 2013, victim was dancing on the dance floor in Volume when two men surrounded her and demanded her cell phone and wallet. Victim feared for her safety, and the suspects removed her phone and wallet from her purse. When victim contacted club security they refused to assist her. **GO 2013-174.**



Seattle Police Department, 610 Fifth Avenue, PO Box 34986, Seattle, WA 98124-4986

An equal employment opportunity, affirmative action employer.

Accommodations for people with disabilities provided upon request. Call (206) 233-7203 at least two weeks in advance.

2. **Assault/Fighting** – On February 4, 2012, at bar closing time several patrons from Volume got into large fight in the parking lot next to the club. Officers observed at least five separate fights with multiple combatants. Officers were forced to use pepper spray to gain control of the hostile crowd. **GO 2013-39363.**
3. **Harassment/Possession of Stolen Property (gun and vehicle)** – On February 11, 2013, club security call 9-1-1 to report they had overheard a person saying they were going to “shoot up the parking lots at bar closing.” Officers observed a suspicious car which was stolen. A search of the stolen vehicle recovered a stolen 9mm handgun loaded with eight bullets in the magazine and one in the chamber wedged to the right of the driver’s seat. Detectives also recovered a 12 gauge pump shotgun with 6 slugs, and one spent round from the trunk of the stolen vehicle. **GO 2013-47745.**
4. **Assault** -- On March 25, 2013, after an argument on the dance floor suspect grabbed victim by the hair and threw her to the ground and stepped on her. **GO 2013-99635.**
5. **Serious Assault** – On April 3, 2013, victim exited the club and was assaulted by an acquaintance with skateboard. Suspect hit the victim in the head with the skateboard causing him to lose consciousness. Victim was transported to HMC via ambulance for lacerations, neck and jaw pain. **GO 2013-112339.**
6. **Assault/Fighting** – On April 4, 2013, officers observed patrons from Club Volume in a verbal altercation outside the club. The altercation quickly turned violent with at least five people physically fighting, and an additional 8-10 verbally taunting and posturing for fights. **GO 2013-112460.**
7. **Assault** – On April 13, 2013, two victims were assaulted by at least two people while inside the club. Both victims sustained minor injuries, and officers saw scratches on the female victim’s face. **GO 2013-123571.**
8. **Assault** – On May 13, 2013, victim called 9-1-1 stating he was assaulted by suspects with a gun. Officers contacted the victim who had obvious injuries including cuts, scratches, contusions, and reported loss of consciousness. Victim stated that he was assaulted while on the dance floor and the security staff did not intervene because they knew the suspects. Victim also stated to have been assaulted by “Mario” the head of security. **GO 2013-160479.**

SPD is spending extensive resources in addressing incidents at Volume. Since the beginning of this year, 25 General Offense reports have been written and SPD has received 144 calls for service citing Volume as the incident location. SPD Patrol has also conducted 53 premise

checks. In 2012, twenty-one General Offense reports were written citing Volume as the incident location.

Volume also hosts several 18+ year-old events. Since the beginning of this year at least six alcohol, overuse, or over-service incidents have been reported. These incidents lend weight to the serious public safety concerns at Volume:

1. **Over-service** – On January 17, 2103, an officer was flagged down about subject who was passed out in the entrance of Club Volume. Subject’s friends said he was drinking inside Volume and nowhere else, having three shots, and two drinks known as “Black Death.” Subject was transported to HMC by Seattle Fire Department. **GO 2013-18782.**
2. **Overuse/No ID or security check--** On January 23, 2013, officer observed Club Volume patrons drinking in the parking lot prior to entering the club. One man was so intoxicated he could not walk. The officer also observed four patrons entering the club via a side entrance without going through any ID, or security check.
3. **Over-service --** On January 31, 2013, officer observed two men carry a woman out of the bar and place her into a car. The woman was unconscious due to level of intoxication. **GO 2013-34644.**
4. **Minor in Possession of Alcohol --** On February 14, 2013, suspect (female 20 years old) who had been in Club Volume was found with open containers of alcohol in the parking lot next to the Club. Suspect tried to give the Officer a fictitious name, lied about drinking and ultimately was booked into King County Jail for minor in possession of alcohol. **GO 2013-51382.**
5. **Minor in Consumption of Alcohol --** On February 17, 2013, an officer was flagged down regarding a 19 year-old female who was passed out on the sidewalk due to the effects of alcohol and/or drugs. The female was transported by ambulance to the hospital. **GO 2013-56022.**
6. **Minor in Possession of Alcohol –** On March 4, 2013, officers contacted several intoxicated juveniles who were located in the parking lots near Volume. They claimed to have just come from Club Volume. **GO 2013-73554.**

As the “owner” and “person(s) in charge” of a chronic nuisance property, **you must respond within seven (7) days of service of this notice to discuss a course of action to correct the nuisance.** If you fail to respond to this notice within seven (7) days or if you fail to voluntarily correct the nuisance to the satisfaction of the Chief of Police, the City may file an

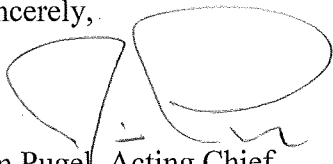
action to abate your property as a chronic nuisance property pursuant to SMC 10.09.060 and/or take other action against the property or person in charge.

Failure to respond to this notice or failure to voluntarily abate the chronic nuisance to the satisfaction of the Chief of Police will subject you to a penalty of up to **\$500.00 per day** from the date of this notice. Failure to comply with the request will be subject to a penalty of up to **\$25,000.00** (SMC 10.09.050).

You may respond to this notice by contacting Lt. Deanna Nollette at (206) 684-8718.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Pugel". The signature is written in a cursive style with a large, looped initial "J".

Jim Pugel, Acting Chief
Seattle Police Department

Cc: Capt. James Dermody
West Precinct
Seattle Police Department

Lt. Deanna Nollette
West Precinct
Seattle Police Department

Sumeer Singla
West Precinct Liaison Attorney
Seattle City Attorney's Office