



Agenda
Code Enforcement Board Meeting
Tuesday, May 9, 2023
Richland City Hall ~ Council Chambers
625 Swift Boulevard

Board Members: Chair White, Vice-Chair Faylor, and Members Coddington, Huber and Wright-Chavez

Staff Liaison Sgt. Shawn Swanson

Council Liaison Ryan Whitten

Regular Meeting - 6:00 p.m.

Call to Order/Attendance:

Approval of Agenda:

1. May 9, 2023 (Approved by Motion)

Public Comments: Please limit public comments to 2 minutes per speaker.

Approval of Minutes:

2. March 14, 2023 (Approve by Motion)

Compliance Hearings/Administration of Oaths:

3. **Case# 20230182 Thomas Klindworth**
Location of the Violation: 1200 Block of Nevada Ave, Richland, WA 99352
Description of Violation: **RMC 11.33.020** Trailer Storage
Mailing Address: 1156 Englewood Dr, Richland, WA 99352
Notice of Civil Violation: April 11, 2023
- Jamie Williams, Code Enforcement Officer

Execution of Orders:

Continued Cases/Old Business:

4. **Case# 20220113 Bookwalter Winery LLC**
Location of the Violation: 894 Tulip Ln, Richland, WA 99352
Description of Violation: **RMC 21.01.010(A) 105.1** Permit Required
Mailing Address: Same
Notice of Civil Violation: February 22, 2023
- Jamie Williams, Code Enforcement Officer

New Business/Liaison Comments:

Adjournment

Richland City Hall is ADA accessible. Any individual who has difficulty attending the meeting in-person may request to provide comments remotely. (Ch. 42.30 RCW) Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 509-942-7389.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 5/9/2023

Agenda Category: Approval of Minutes

Prepared By: Bunnie Avery, Administrative Assistant II

Subject:

March 14, 2023 (Approve by Motion)

Department:

Police

Recommended Motion:

Summary:

Attachments:



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 5/9/2023

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Jamie Williams, Code Enforcement Officer

Subject:

Case# 20230182 Thomas Klindworth

Location of the Violation: 1200 Block of Nevada Ave, Richland, WA 99352

Description of Violation: **RMC 11.33.020** Trailer Storage

Mailing Address: 1156 Englewood Dr, Richland, WA 99352

Notice of Civil Violation: April 11, 2023

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 1200blk Nevada Packet



Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

NOTICE OF CIVIL VIOLATION

April 11, 2023

Thomas Klindworth
1156 Englewood Dr
Richland WA 99352

Case Number: 20230182

An inspection on March 17, 2023 revealed violation(s) of the Richland Municipal Code (RMC) on property you own or control. You have received this notice because your property is out of compliance with the Richland Municipal Code, and you must take action to bring your property into compliance as identified herein.

Location of Violation(s):

1200 block Nevada Ave, Richland WA 99352

Description of Violation(s):

RMC 11.33.020 Storage and parking of boats, RVs, trailers: No boat, camper (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles, or utility trailers may be stored on public property or in a residential district. Public property includes but is not limited to public parks, parking lots, streets, roads, highways, or sidewalks. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicle or personal property is set back ten (10) feet from any alley or roadway. (Large vehicle = any vehicle that exceeds 12,000 lbs.)

Required Corrective Action(s):

Properly store the Motorhome with WA plate 42173CV and boat trailer with WA plate 89196AG in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by May 7, 2023 no later than 5:00 p.m.

You received notice dated March 17, 2023 requesting voluntary correction of the code violation(s). A copy of that notice is attached. To date, you have failed to comply with the Richland Municipal Code, which resulted in the issuance of this notice of civil violation.

You are directed to take the action described above to correct the violation(s) on the property. Failure to correct the violation(s) by the deadline in this notice may result in City abatement per RMC 10.02.070.

HEARING NOTICE: Per RMC 10.02.060, an appeal hearing is automatically scheduled for you to appear before the Richland Code Enforcement Board on this matter. The hearing regarding your code violation(s) will be held in **City Council Chambers at Richland City Hall, 625 Swift Blvd., Richland, WA** on the following date and time:

Date: May 9, 2023

Time: 6:00 PM

****Please make the necessary arrangements if you need a language interpreter****

Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$50.00 shall be assessed for each offense requiring a notice of civil violation, regardless of whether compliance is met before the hearing.

Code Enforcement Board Hearing: If you take no action prior to the hearing, or if you believe you are not in violation of the RMC and wish to contest this notice, an impartial hearing before the five-member Code Enforcement Board will be held. At the hearing, the City will present evidence of the violation(s). You may testify on your own behalf and introduce your own evidence, if any. At the conclusion of the hearing, the Board will decide if the evidence supports finding you in violation of the Richland Municipal Code. The City bears the burden of proof, which is a preponderance of the evidence.

If the Board determines that one or more violations has occurred, you will be assessed monetary penalties pursuant to RMC 10.02.050(E) and ordered to abate the violation(s). Penalties range from a minimum of \$50 to a maximum of \$500 per day per violation, up to a maximum penalty of \$5,000 for all violations. You may also be ordered to pay the costs of abatement if the City is forced to correct the violation(s). The third violation of the same regulation at the same location within two (2) years is a criminal offense. See Chapter 10.02 RMC for more details.

FAILURE TO APPEAR: Should you fail to appear, the Code Enforcement Board will enter an order finding that the violation occurred and assess monetary penalties, which may include a continuing monthly monetary penalty until the property is brought into compliance. The City will carry out the Code Enforcement Board's order and recover all related expenses, plus the monetary penalties assessed and the administrative cost of the hearing. A copy of the Board's order and an invoice for payment will be sent to you pursuant to RMC 10.02.060(E).

Issued on April 11, 2023 by the Code Enforcement Officer signing below.

Signature: 
Printed Name: Jamie Williams, Code Enforcement
Phone: (509) 942-7577

Attachment – Voluntary Correction Notice

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.



Richland Police Department – Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

Notice of Civil Violation – Intent to Abate/Remove Public Nuisance Vehicle(s)

Date: 3/17/2023

Location of Violation: 1200 block Nevada Ave, Richland WA 99352

Report #: 20230182

An inspection of our records revealed violation(s) of the Richland Municipal Code occurred on the following date: 3/17/2023

You received a correction notice dated 5/9/2022 asking you to correct said violation(s). A copy of that notice is attached.

A final inspection on 3/17/2023 of the above listed location has shown that you have failed to comply with RMC 10.06.030 described as **the unlawful storage of an inoperable vehicle(s)** in reference to the motorhome with WA plate 42173CV and the boat trailer with WA plate 89196AG pursuant to RMC 11.33.020 trailers must be in compliance with RMC 10.06.030 Storage.

This notice serves as notice of the City's intent to abate and remove the inoperable vehicle(s) as an unlawful public nuisance (RMC 10.06.040; RMC 10.06.050). **Removal of the vehicle will occur on 3/27/2023 not before 7:00 am.**

Right to Due-Process Hearing

As the last known owner of record and/or the real property owner of record having charge or control of the vehicle(s) at the above identified location, you are hereby notified that a hearing may be requested before the Richland Code Enforcement Board to protest abatement of the vehicle. If no hearing is requested within 10 days of the issuance of this notice, the nuisance vehicle(s) shall be removed and disposed. The costs of abatement of such vehicle(s) may be assessed against the last registered owner of the nuisance vehicle or against the owner of real property upon which the vehicle is stored and shall constitute a lien thereon. (RMC 10.06.050)

Code Enforcement Board Hearing: If you request a hearing before the Code Enforcement Board within 10 Days of the issuance of this notice, a hearing will be set for the next scheduled Code Enforcement Board meeting. At the hearing, the City will request that the Board issue a finding of violation and order abatement of the nuisance vehicle. You will have an opportunity to challenge these requests. Penalties as identified below may be imposed:

- A minimum penalty of \$150.00 shall be requested for the first offense and a minimum of \$50.00 shall be requested for each additional offense listed on the Notice of Civil Violation
- The maximum monetary penalty for each separate violation per day or portion thereof shall be \$500.00 per violation per day or portion thereof to a maximum penalty of \$5,000.00 for all offenses
- Repeat violations shall result in a doubled daily monetary amount

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal impersonation in the first degree

Richland Police Department – Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

- Upon the third violation of the same regulation at the same location within two (2) years, the violation shall constitute a criminal offense and shall subject the violator to criminal prosecution and penalties as set forth in RMC 10.02.030(E); a misdemeanor crime subject to a \$5,000.00 fine and up to one year in jail

Schedule the Hearing: To request a hearing, contact the Nuisance Code Enforcement Officer listed below. Please identify if you or another authorized party will be representing you at the hearing.

Failure to Appear: Should you fail to appear, the Board shall grant the City the relief requested and assess you monetary penalties pursuant to RMC 10.02.050 and the nuisance vehicle(s) shall be removed from the City's right-of-way.

Issued on 3/17/2023 by Nuisance Code Enforcement Officer Jamie Williams
Phone Number: 509-942-7577

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal impersonation in the first degree



FINAL Correction Notice

Date: 5/9/2022

Location: 1200 block Nevada Ave, Richland WA 99352

Report #: 20220394

You have received this notice because property owned or controlled by you is currently out of compliance with the Richland Municipal Code and you must take immediate action to bring your property into compliance as identified herein.

Description of the Violation(s):

RMC 11.33.020 Storage and parking of boats, RVs, trailers: No boat, camper (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers may be stored on public property or in a residential district. Public property includes but is not limited to public parks, parking lots, streets, roads, highways or sidewalks. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicle or personal property is set back ten (10) feet from any alley or roadway. (Large vehicle = any vehicle that exceeds 12,000 lbs.)

Required Corrective Action(s):

Please properly store motorhome with WA plate 42173CV in accordance with the Richland Municipal Code.

**** If compliance is not met this case will be referred to the Code Enforcement Board.**

The corrective actions(s) identified in this Correction Notice must be completed by 5/16/2022 no later than 8:00 am.

Failure to remedy the violation(s) identified in this Correction Notice may result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board and monetary penalties may be assessed.

The City's objective is to work with you to achieve voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in this Correction Notice. If you have questions about the enforcement process, or if you need additional information or resources, please contact the Code Enforcement Officer identified in this notice.

Issued on 5/9/2022 by Officer Jamie Williams
Phone Number: 509-942-7577



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 5/9/2023

Agenda Category: Continued Cases/Old Business

Prepared By: Jamie Williams, Code Enforcement Officer

Subject:

Case# 20220113 Bookwalter Winery LLC

Location of the Violation: 894 Tulip Ln, Richland, WA 99352

Description of Violation: **RMC 21.01.010(A) 105.1** Permit Required

Mailing Address: Same

Notice of Civil Violation: February 22, 2023

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 894 Tulip Packet



Richland Police Department - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

NOTICE OF CIVIL VIOLATION

April 18, 2023

Bookwalter Winery LLC
894 Tulip Ln
Richland WA 99352

Case Number: 20220113

An inspection on February 15, 2023 revealed violation(s) of the Richland Municipal Code (RMC) on property you own or control. You have received this notice because your property is out of compliance with the Richland Municipal Code, and you must take action to bring your property into compliance as identified herein.

Location of Violation(s):

894 Tulip Ln, Richland WA 99352

Description of Violation(s):

RMC 21 Building Code Violations: [A] 105.1 Required

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Required Corrective Action(s):

Contact City of Richland Development Services, Mike Stevens 509 942-7596 or 509 942-7615 to obtain a permit for the in-place A frame, metal legged structure on the property in accordance with the Richland Municipal Code and the International Property Maintenance Code.

The corrective action(s) identified in this notice must be completed by May 7, 2023 no later than 5:00 p.m.

You received notice dated November 1, 2022 requesting voluntary correction of the code violation(s). A copy of that notice is attached. To date, you have failed to comply with the Richland Municipal Code, which resulted in the issuance of this notice of civil violation.

You are directed to take the action described above to correct the violation(s) on the property. Failure to correct the violation(s) by the deadline in this notice may result in City abatement per RMC 10.02.070.

HEARING NOTICE: Per RMC 10.02.060, an appeal hearing is automatically scheduled for you to

appear before the Richland Code Enforcement Board on this matter. The hearing regarding your code violation(s) will be held in **City Council Chambers at Richland City Hall, 625 Swift Blvd., Richland, WA** on the following date and time:

Date: May 9, 2023

Time: 6:00 PM

****Please make the necessary arrangements if you need a language interpreter****

Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$50.00 shall be assessed for each offense requiring a notice of civil violation, regardless of whether compliance is met before the hearing.

Code Enforcement Board Hearing: If you take no action prior to the hearing, or if you believe you are not in violation of the RMC and wish to contest this notice, an impartial hearing before the five-member Code Enforcement Board will be held. At the hearing, the City will present evidence of the violation(s). You may testify on your own behalf and introduce your own evidence, if any. At the conclusion of the hearing, the Board will decide if the evidence supports finding you in violation of the Richland Municipal Code. The City bears the burden of proof, which is a preponderance of the evidence.

If the Board determines that one or more violations has occurred, you will be assessed monetary penalties pursuant to RMC 10.02.050(E) and ordered to abate the violation(s). Penalties range from a minimum of \$50 to a maximum of \$500 per day per violation, up to a maximum penalty of \$5,000 for all violations. You may also be ordered to pay the costs of abatement if the City is forced to correct the violation(s). The third violation of the same regulation at the same location within two (2) years is a criminal offense. See Chapter 10.02 RMC for more details.

FAILURE TO APPEAR: Should you fail to appear, the Code Enforcement Board will enter an order finding that the violation occurred and assess monetary penalties, which may include a continuing monthly monetary penalty until the property is brought into compliance. The City will carry out the Code Enforcement Board's order and recover all related expenses, plus the monetary penalties assessed and the administrative cost of the hearing. A copy of the Board's order and an invoice for payment will be sent to you pursuant to RMC 10.02.060(E).

Issued on April 18, 2023 by the Code Enforcement Officer signing below.

Signature: _____



Printed Name: Jamie Williams, Code Enforcement

Phone: (509) 942-7577

Attachment – Voluntary Correction Notice

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.



FINAL Correction Notice

Date: 11/1/2022

Location: 894 Tulip Ln, Richland WA 99352

Report #: 20220113

You have received this notice because property owned or controlled by you is currently out of compliance with the Richland Municipal Code and you must take immediate action to bring your property into compliance as identified herein.

Description of the Violation(s):

RMC 21 Building Code Violations: [A] 105.1 Required

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be performed, shall first make application to the building official and obtain the required permit.

Required Corrective Action(s):

Contact City of Richland Development Services, Mike Stevens 509 942-7596 or 509 942-7615 to obtain a permit for the in-place A frame, metal legged structure on the property in accordance with the Richland Municipal Code and the International Property Maintenance Code.

The corrective actions(s) identified in this Correction Notice must be completed by 11/26/2022 no later than 8:00 am.

Failure to remedy the violation(s) identified in this Correction Notice may result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board and monetary penalties may be assessed.

The City's objective is to work with you to achieve voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in this Correction Notice. If you have questions about the enforcement process, or if you need additional information or resources, please contact the Code Enforcement Officer identified in this notice.

Issued on 11/1/2022 by Officer Jamie Williams

Phone Number: 509-942-7577