



Agenda
Code Enforcement Board Meeting
Tuesday, June 13, 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: (Approved by Motion)

1. June 13, 2023 Agenda

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

Approval of Minutes: (Approved by Motion)

2. May 9, 2023 Minutes

Compliance Hearings/Administration of Oaths:

3. Case# 20221536 Angela Conley

Location of the Violation: 1205 Davenport St, Richland, WA 99352

Description of Violation: **RMC 21.01.010(A) 105.1** Permit Required, **RMC 23.38.070** Fence Height Location

Mailing Address: 90 Heterline Rd, Plains, MT 59859

Notice of Civil Violation: May 24, 2023

- Jamie Williams, Code Enforcement Officer

4. Case# 20230171 Shawn Nelson

Location of the Violation: 143 Chad Ct, Richland, WA 99352

Description of Violation: **RMC 10.04.040(R)** Blocked Sidewalk, **RMC 10.04.030(C)** Accumulation of Garbage, **RMC 10.04.040(G)** Household Items and Vehicle Parts, **RMC 10.06.030** Storage of Inoperable Vehicles

Mailing Address: Same

Notice of Civil Violation: May 17, 2023

- Jamie Williams, Code Enforcement Officer

5. Case# 20230338 Flor Mendez-Cordova

Location of the Violation: 1860 Mahan Ave, Richland, WA 9935

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

Mailing Address: Same

Notice of Civil Violation: May 22, 2023

- Stephanie Dorko, Code Enforcement Officer

Continued Cases/Old Business:

Execution of Orders:

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: 6/13/2023

Agenda Category: Approval of Minutes

Prepared By: Bunnie Avery, Administrative Assistant II

Subject:
May 9, 2023 Minutes

Department:
Police

Recommended Motion:

Summary:

Attachments:
1. 2023.05.09 Code Enforcement Board Minutes



MINUTES

Code Enforcement Board Meeting
City Council Chambers – 625 Swift Blvd
Tuesday, May 9, 2023 ~ 6:00 p.m.

This document is a summarized version of the Code Enforcement Board proceedings. The minutes are paraphrased, not verbatim. Access to an electronic audio recording of the meeting is available upon request.

CALL TO ORDER

Vice Chair **Faylor** called the meeting to order at 6:03 p.m.

ROLL CALL

MEMBERS PRESENT:

Ragan Faylor, Vice Chair
Jenna Coddington, Member
Jeff Huber, Member
Tamara Wright Chavez, Member

ALSO IN ATTENDANCE:

Stephanie Dorko, Code Enforcement Officer
Jamie Williams, Code Enforcement Officer
Shawn Swanson, Sergeant
Bunnie Avery, Staff Liaison
Mike Stevens, City of Richland
Harvey Prickett

APPROVAL OF AGENDA

1. Member **Huber** made a motion to approve the May 9, 2023 meeting agenda. Member **Coddington** seconded the motion. The motion carried 4-0.

APPROVAL OF MINUTES

2. Member **Huber** made a motion to approve the minutes of the March 14, 2023 meeting of the Code Enforcement Board as presented. Member **Wright Chavez** seconded the motion. The motion carried 4-0.

COMPLIANCE HEARINGS / ADMINISTRATION OF OATHS

Vice Chair **Faylor** began the hearing process by administering the oaths to all City staff, defendants and witnesses that will be participating in the hearings and called the first case to be heard.

- | | |
|-----------------------------------|---|
| 3. 20230182 | Thomas Klindworth |
| Location of Violations: | 1200 Block of Nevada Avenue, Richland, WA 99352 |
| Mailing Address: | 1156 Englewood Drive, Richland, WA 99352 |
| Description of Violations: | RMC 11.33.020 Trailer Storage |
| Notice of Civil Violation Issued: | April 11, 2023 |

CASE REPORT: Jamie Williams, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Klindworth was not present.

RECOMMENDATION: Compliance has been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$1,000 for the issuance of the Notice of Civil Violation (Exhibit 1).

CODE BOARD DECISION: Member **Huber** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$1,000** for the issuance of the Notice of Civil Violation as compliance has been met. Member **Coddington** seconded the motion. Motion carried 4-0.

CONTINUED CASES / OLD BUSINESS:

4. **20220113** **Bookwalter Winery LLC**
Location of Violations: Parcel Number 894 Tulip Lane, Richland, WA 99352
Mailing Address: Same
Description of Violations: **RMC 21.01.010(A) 105.1** Permit Required
Notice of Civil Violation Issued: February 22, 2023

CASE REPORT: Jamie Williams, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Harvey Prickett presented the case on behalf of Bookwalter Winery LLC and answered questions from the Code Enforcement Board.

RECOMMENDATION: Compliance has not been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$250 for the issuance of the Notice of Civil Violation (Exhibit 1). For compliance to be met obtain a permit for the in-place A frame, metal legged structure on the property in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 10, 2023, the city may proceed with abatement.

CODE BOARD DECISION: Member **Huber** motioned to find the respondent in violation of the Richland Municipal Code as cited in the Notice of Civil Violation. Member **Wright Chavez** seconded the motion. The motion carried 4-0.

Member **Huber** motioned to impose a monetary penalty in the amount of **\$1,000** for the Notice of Civil Violation. For compliance to be met obtain a permit for the in-place A frame, metal legged structure on the property in accordance with the Richland Municipal Code. If correction of the violation has not occurred by June 30, 2023, the city may proceed with abatement. Member **Wright Chavez** seconded the motion. The motion carried 3-1.

EXECUTION OF ORDERS:

Vice Chair **Faylor** requested that the City please hand up the Orders from tonight's hearings for execution.

NEW / OTHER BUSINESS:

None

ADJOURNMENT:

Vice Chair **Faylor** adjourned the meeting at 6:53 p.m.

APPROVED this 13th day of June 2023.

SKYE WHITE, Chairman

RAGAN FAYLOR, Vice-Chairman

JENNA CODDINGTON, Member

W. JEFF HUBER, Member

TAMARA WRIGHT CHAVEZ, Member

ATTEST:

SHAWN SWANSON, SERGEANT

DRAFT



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 6/13/2023

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Jamie Williams, Code Enforcement Officer

Subject:

Case# 20221536 Angela Conley

Location of the Violation: 1205 Davenport St, Richland, WA 99352

Description of Violation: **RMC 21.01.010(A) 105.1** Permit Required, **RMC 23.38.070** Fence Height Location

Mailing Address: 90 Heterline Rd, Plains, MT 59859

Notice of Civil Violation: May 24, 2023

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 1205 Davenport Packet



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

NOTICE OF CIVIL VIOLATION

May 24, 2023

Angela Conley
1205 Davenport St
Richland WA 99352

Case Number: 20221536

An inspection on May 23, 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):
1205 Davenport St, Richland WA 99352

Description of Violation(s):

RMC 21.01.010(A) – 2015 IBC Section 105.1 [Permits] 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.

RMC 23.38.070 Fence Height and Location: OPEN FENCE 1) 6 feet high, anywhere on lot, provided no closer to a street right of way than the building setback line in the same zone 2) 4 feet high, anywhere on lot within adjoining street right of way to within one foot behind sidewalk or five feet behind back of curb, provided, they do not form sight obstructions at intersection... OTHER FENCE 1) 6 feet high anywhere on lot provided no closer to the street right of way than a building setback line in the zone 2) 3 feet high, anywhere on lot within adjoining street right of way to within 1 foot behind sidewalk or 5 feet behind back of curb.

B. Other Fences. 1. Six feet high, anywhere on the lot; provided, that they shall be no closer to the street right-of-way than the building setback line in the zone, except as provided in subsections (E) and (F) of this section. 2. Three feet high, anywhere on the lot and within adjoining street right-of-way to within one foot behind sidewalk or five feet behind back of curb; provided, that they do not form sight obstructions at intersections, or at curves.

Required Corrective Action(s):

Contact Development Services, Mike Stevens at # (509)942-7596 to secure the necessary permit(s) and placement for the unpermitted mobile carport currently stored on the property and make adjustments/removal as needed in accordance with the Richland Municipal Code.

Contact Development Services, Mike Stevens at # (509)942-7596, and follow the placement guidelines for the fences currently placed along the Douglass Ave side of the property, *remove/replace fences as required in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by June 11, 2023 no later than 5:00 p.m.

You received notice dated February 13, 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: June 13, 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 May 24, 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

Correction Notice

Date: 2/13/2023

Location: 1205 Davenport St, Richland WA 99352

Report #: 20221536

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 21.01.010(A) – 2015 IBC Section 105.1 [Permits] 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.

RMC 23.38.070 Fence Height and Location: OPEN FENCE 1) 6 feet high, anywhere on lot, provided no closer to a street right of way than the building setback line in the same zone 2) 4 feet high, anywhere on lot within adjoining street right of way to within one foot behind sidewalk or five feet behind back of curb, provided, they do not form sight obstructions at intersection... OTHER FENCE 1) 6 feet high anywhere on lot provided no closer to the street right of way than a building setback line in the zone 2) 3 feet high, anywhere on lot within adjoining street right of way to within 1 foot behind sidewalk or 5 feet behind back of curb.

B. Other Fences. 1. Six feet high, anywhere on the lot; provided, that they shall be no closer to the street right-of-way than the building setback line in the zone, except as provided in subsections (E) and (F) of this section. 2. Three feet high, anywhere on the lot and within adjoining street right-of-way to within one foot behind sidewalk or five feet behind back of curb; provided, that they do not form sight obstructions at intersections, or at curves.

Required Corrective Action(s):

Contact Development Services, Mike Stevens at # (509)942-7596 to secure the necessary permit(s) and placement for the unpermitted mobile carport currently stored on the property and make adjustments/removal as needed in accordance with the Richland Municipal Code.

Please contact Development Services, Mike Stevens at # (509)942-7596, and follow the placement guidelines for the fences currently placed along the Douglass Ave side of the property, *remove/replace fences as required in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 2/28/2023 no later than 8:00 am.

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

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 2/13/2023 by Officer Jamie Williams

Phone Number: 509-942-7577



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 6/13/2023

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Jamie Williams, Code Enforcement Officer

Subject:

Case# 20230171 Shawn Nelson

Location of the Violation: 143 Chad Ct, Richland, WA 99352

Description of Violation: **RMC 10.04.040(R)** Blocked Sidewalk, **RMC 10.04.030(C)** Accumulation of Garbage, **RMC 10.04.040(G)** Household Items and Vehicle Parts, **RMC 10.06.030** Storage of Inoperable Vehicles

Mailing Address: Same

Notice of Civil Violation: May 17, 2023

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 143 Chad Packet



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

NOTICE OF CIVIL VIOLATION

May 17, 2023

Shawn Nelson
143 Chad Ct
Richland WA 99352

Case Number: 20230171

An inspection on May 16, 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):
143 Chad Ct, Richland WA 99352

Description of Violation(s):

RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/roadway: Objects that interfere with, obstruct, tend to obstruct, or render dangerous for passage of either persons or vehicles to any public park, street, sidewalk, alley, highway, or other public area. Objects subject to...basketball hoops, street hockey goals, abandon vehicles or other property.

RMC 10.04.030(C) Public nuisance affecting health -- accumulation of garbage, decaying vegetation, manure, etc. Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health, safety, welfare, or comfort of others.

RMC 10.04.040(G) household items and vehicle parts, ice chest, refrigerator, furniture, etc: Public Nuisance Affecting Peace and Safety; permitting to remain outside any dwelling, building or structure, any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side, or rear yard of the property maintained by a "responsible person" and which items can be seen from a public sidewalk, street, or road unless obscured behind a sight-obscuring fence in a manner where it is not visible from public or private property at ground level.

RMC 10.06.030 Storage of inoperable vehicle: It is unlawful to place or keep an inoperable motorized vehicle or junk vehicle upon any public or private property within the City of Richland unless the vehicle is completely enclosed within a building or behind a 100% sight-obscuring fence in a manner where it is not visible from the street or other public or private property **INOPERABLE VEHICLE DEFINED AS** a vehicle that has been in a stationary position for more than 14 calendar days, is apparently inoperable or requires repair in order to be operable, or is unable to move 20 feet under own power. One inoperable motorized vehicle may be allowed on residential property, outside of an enclosed building, if it is stored in the rear yard of the property and screened from the neighboring properties and any street by a 100 percent sight-obstructing fence.

Required Corrective Action(s):

Free the sidewalk from obstruction, (remove the vehicles) and keep the sidewalk 100% free from obstruction in accordance with the Richland Municipal Code.

Remove the accumulated trash and debris stored in the yard, on the porch and in the driveway in accordance with the Richland Municipal Code.

Remove the household items currently stored on the property in accordance with the Richland Municipal Code.

Demonstrate as operable under their own power the red Pontiac Grand Prix with WA AUZ3227, the black Nissan Xterra with WA CEE5856 and the blue truck parked in the driveway, or properly store, in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by June 11, 2023 no later than 5:00 p.m.

You received notice dated March 13, 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: June 13, 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 May 17, 2023 by the Code Enforcement Officer signing below.

Signature: _____

Printed Name: Jamie Williams, Code Enforcement

Phone: (509) 842-7577

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

Correction Notice

Date: 3/13/2023

Location: 143 Chad Ct, Richland WA 99352

Report #: 20230171

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 10.04.040 (R) Objects that interfere with or obstruct sidewalk/roadway: Objects that interfere with, obstruct, tend to obstruct, or render dangerous for passage of either persons or vehicles to any public park, street, sidewalk, alley, highway, or other public area. Objects subject to...basketball hoops, street hockey goals, abandon vehicles or other property.

RMC 10.04.030(C) Public nuisance affecting health -- accumulation of garbage, decaying vegetation, manure, etc. Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health, safety, welfare, or comfort of others.

RMC 10.04.040(G) household items and vehicle parts, ice chest, refrigerator, furniture, etc: Public Nuisance Affecting Peace and Safety; permitting to remain outside any dwelling, building or structure, any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side, or rear yard of the property maintained by a "responsible person" and which items can be seen from a public sidewalk, street, or road unless obscured behind a sight-obscuring fence in a manner where it is not visible from public or private property at ground level.

RMC 10.06.030 Storage of inoperable vehicle: It is unlawful to place or keep an inoperable motorized vehicle or junk vehicle upon any public or private property within the City of Richland unless the vehicle is completely enclosed within a building or behind a 100% sight-obscuring fence in a manner where it is not visible from the street or other public or private property **INOPERABLE VEHICLE DEFINED AS** a vehicle that has been in a stationary position for more than 14 calendar days, is apparently inoperable or requires repair in order to be operable, or is unable to move 20 feet under own power. One inoperable motorized vehicle may be allowed on residential property, outside of an enclosed building, if it is stored in the rear yard of the property and screened from the neighboring properties and any street by a 100 percent sight-obstructing fence.

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

Required Corrective Action(s):

Please free the sidewalk from obstruction, (remove the vehicles) and keep the sidewalk 100% free from obstruction in accordance with the Richland Municipal Code.

Please remove the accumulated trash and debris stored in the yard, on the porch and in the driveway in accordance with the Richland Municipal Code.

Please remove the household items currently stored on the property in accordance with the Richland Municipal Code.

Please demonstrate all vehicles stored on the property are operable including the red Pontiac Grand Prix with WA AUZ3227, the black Nissan Xterra with WA CEE5856 the white F150 with WA C66454W and the blue truck parked in the driveway, or properly store, in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 3/28/2023 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 3/13/2023 by Officer Jamie Williams

Phone Number: 509-942-7577



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 6/13/2023

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Stephanie Dorko, Code Enforcement Officer

Subject:

Case# 20230338 Flor Mendez-Cordova

Location of the Violation: 1860 Mahan Ave, Richland, WA 9935

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

Mailing Address: Same

Notice of Civil Violation: May 22, 2023

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 1860 Mahan Packet



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

NOTICE OF REPEAT CIVIL VIOLATION

May 22, 2023

Flor Mendez-Cordova
1860 Mahan Ave
Richland, WA 99354

Case Number: 20230338

An inspection on May 22, 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):

1860 Mahan Ave, Richland, WA 99354

Description of Violation(s):

RMC 11.33.020 – No boats, campers (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers (hereafter referred to as “vehicle or personal property”) may be stored in a residential district or on public streets, roads, highways or sidewalks. With the exception of boat trailers as provided above, no vehicle or private property shall remain in a public park or municipal parking lot overnight. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicles or personal property are set back 10 feet from any alley or roadway and meet the requirements of Chapter 10.06 RMC regarding inoperable and junk vehicles. “Stored” or “storage” shall mean parking or placing of boats, campers (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers for more than five consecutive days;

Required Corrective Action(s):

Remove the Stingray boat and trailer with WA plate 16142AE from the roadway and store on private property in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by June 11, 2023 no later than 5:00 p.m.

This violation is a repeat violation. A repeat violation is a violation of the same regulation (in any location by the same person) within the past two (2) years for which voluntary compliance previously has been sought. City records indicate that you are responsible for the same violations occurring in the City of Richland as follows:

Code Case 20210008 opened 08-12-2021 for RMC 11.33.020 at 1860 Mahan Ave.
Code Case 20220522 opened 10-31-2022 for RMC 11.33.020 at 1860 Mahan Ave.

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: June 13, 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. Repeat violations result in a doubled daily monetary amount. A penalty up to \$500 per violation per day may be imposed.

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 this May 22, 2023 by the Code Enforcement Officer signing below.

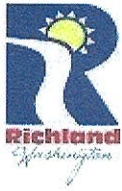
Signature: 

Printed Name: Stephanie Dorko, Code Enforcement

Phone: (509) 942-7644

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.



Correction Notice

Date: 6/7/2022

Location: 1860 Mahan Ave, Richland WA 99354

Report #: 20220522

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 – No boats, campers (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers (hereafter referred to as “vehicle or personal property”) may be stored in a residential district or on public streets, roads, highways or sidewalks. With the exception of boat trailers as provided above, no vehicle or private property shall remain in a public park or municipal parking lot overnight. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicles or personal property are set back 10 feet from any alley or roadway and meet the requirements of Chapter 10.06 RMC regarding inoperable and junk vehicles. “Stored” or “storage” shall mean parking or placing of boats, campers (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers for more than five consecutive days.

Required Corrective Action(s):

Remove the Stingray boat and trailer with WA plate 16142AE from the roadway and store on private property in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 6/21/2022 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. In lieu of advancing your case to the Code Enforcement Board, you may be eligible to enter a Voluntary Correction Agreement with the City to significantly extend your compliance date. Contact Code Enforcement to learn more about this option.

If you believe you are not in violation of the RMC and wish to contest this notice, you may request an impartial hearing before the five-member Code Enforcement Board. 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 whether to affirm or disaffirm the City’s accusation of a violation(s). Monetary penalties may be assessed if the violation(s) is affirmed.

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

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

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 6/7/2022 by Officer Stephanie Dorko
Phone Number: 509-942-7644