



Agenda
Code Enforcement Board Meeting
Tuesday, July 11, 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. July 11, 2023 Agenda

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

Approval of Minutes: (Approved by Motion)

2. June 13, 2023 Minutes

Compliance Hearings/Administration of Oaths:

3. Case# 20220996 Mary Sichler

Location of the Violation: 410 Rossell Ave, Richland, WA 99352

Description of Violation: **RMC 10.04.040(P)** Grass and Weeds, **RMC 10.04.030(C)** Accumulation of Garbage, **RMC 10.06.030** Storage of Inoperable Vehicle

Mailing Address: 8264 W Grandridge Blvd, Apt 208, Kennewick, WA 99336

Notice of Civil Violation: June 8, 2023

- Jamie Williams, 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: 7/11/2023

Agenda Category: Approval of Minutes

Prepared By: Bunnie Avery, Administrative Assistant II

Subject:
June 13, 2023 Minutes

Department:
Police

Recommended Motion:

Summary:

Attachments:
1. 2023.06.13 Code Enforcement Board Minutes



MINUTES

Code Enforcement Board Meeting
City Council Chambers – 625 Swift Blvd
Tuesday, June 13, 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

Chair **White** called the meeting to order at 6:00 p.m.

ROLL CALL

MEMBERS PRESENT:

Skye White, Chair
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

APPROVAL OF AGENDA

1. Member **Coddington** made a motion to approve the June 13, 2023 meeting agenda. Member **Faylor** seconded the motion. The motion carried 5-0.

APPROVAL OF MINUTES

2. Vice Chair **Faylor** made a motion to approve the minutes of the May 9, 2023 meeting of the Code Enforcement Board as presented. Member **Huber** seconded the motion. The motion carried 5-0.

COMPLIANCE HEARINGS / ADMINISTRATION OF OATHS

Chair **White** 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. **20221536**
Location of Violations: 1205 Davenport Street, Richland, WA 99352
Mailing Address: 90 Heterline Road, Plains, MT 59859
Description of Violations: **RMC 21.01.010(A)** Permit Required, **RMC 23.38.070** Fence
Height Location
Notice of Civil Violation Issued: May 24, 2023

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

RECOMMENDATION: Compliance has not been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$500 for the issuance of the Notice of Civil Violation (Exhibit 1). For compliance to be met 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. Follow placement guidelines for the fences currently placed along the Douglass Avenue side of the property, remove/replace fences as required in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 9, 2023, the city may proceed with abatement.

CODE BOARD DECISION: Member **Coddington** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$500** for the issuance of the Notice of Civil Violation as compliance has not been met. For compliance to be met 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. Follow placement guidelines for the fences currently placed along the Douglass Avenue side of the property, remove/replace fences as required in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 9, 2023, the city may proceed with abatement. Member **Huber** seconded the motion. Motion carried 5-0.

4. **20230171** **Shawn Nelson**
Location of Violations: 143 Chad Court, Richland, WA 99352
Mailing Address: Same
Description of Violations: **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.
Notice of Civil Violation Issued: May 17, 2023

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

RECOMMENDATION: Compliance has not 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). For compliance to be met free the sidewalk from obstruction (remove the vehicles), remove the accumulated trash and debris stored in the yard, on the porch and in the driveway, and remove the household items currently stored on the property, Also, demonstrate that the red Pontiac Grand Prix with WA AUZ3227, the black Nissan Xterra with WA CEE5856 and the blue truck parked on the driveway are operable under their own power or properly store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 9, 2023, the city may proceed with abatement.

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 not been met. For compliance to be met free the sidewalk from obstruction (remove the vehicles), remove the accumulated trash and debris stored in the yard, on the porch and in the driveway, and remove the household items currently stored on the property, Also, demonstrate that the red Pontiac Grand Prix with WA AUZ3227, the black Nissan Xterra with WA CEE5856 and the blue truck parked on the driveway are operable under their own power or properly store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 9, 2023, the city may proceed with abatement. Vice Chair **Faylor** seconded the motion. Motion carried 5-0.

5. **20230338** **Flor Mendez-Cordova**
Location of Violations: 1860 Mahan Avenue, Richland, WA 99354
Mailing Address: Same
Description of Violations: **RMC11.33.020** Trailer Storage

Notice of Civil Violation Issued: May 22, 2023

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Ms. Mendez-Cordova was not present.

RECOMMENDATION: Compliance has not been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$500 for the issuance of the Repeat Notice of Civil Violation (Exhibit 1). For compliance to be met remove the Stingray boat with WA plate 16142AE from the roadway and store on private property in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 9, 2023, the city may proceed with abatement.

CODE BOARD DECISION: Member **Coddington** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$500** for the issuance of the Notice of Civil Violation as compliance has not been met. For compliance to be met remove the Stingray boat with WA plate 16142AE from the roadway and store on private property in accordance with the Richland Municipal Code. If correction of the violation has not occurred by July 9, 2023, the city may proceed with abatement. Vice Chair **Faylor** seconded the motion. Motion carried 5-0.

CONTINUED CASES / OLD BUSINESS:

None

EXECUTION OF ORDERS:

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

NEW / OTHER BUSINESS:

None

ADJOURNMENT:

Chair **White** adjourned the meeting at 6:28 p.m.

APPROVED this 11th day of July 2023.

SKYE WHITE, Chairman

RAGAN FAYLOR, Vice-Chairman

JENNA CODDINGTON, Member

W. JEFF HUBER, Member

TAMARA WRIGHT CHAVEZ, Member

ATTEST:

SHAWN SWANSON, SERGEANT



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 7/11/2023

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Jamie Williams, Code Enforcement Officer

Subject:

Case# 20220996 Mary Sichler

Location of the Violation: 410 Rossell Ave, Richland, WA 99352

Description of Violation: **RMC 10.04.040(P)** Grass and Weeds, **RMC 10.04.030(C)** Accumulation of Garbage, **RMC 10.06.030** Storage of Inoperable Vehicle

Mailing Address: 8264 W Grandridge Blvd, Apt 208, Kennewick, WA 99336

Notice of Civil Violation: June 8, 2023

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 410 Rossell Packet



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

NOTICE OF CIVIL VIOLATION

June 8, 2023

Mary Sichler
8264 W Grandridge Blvd, Apt 208
Kennewick, WA 99336

Case Number: 20220996

An inspection on June 8, 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):
410 Rossell Ave, Richland WA 99352

Description of Violation(s):

RMC 10.04.040 (P) Grasses and weeds over 6 inches in height: Public Nuisance Affecting Peace and Safety: all grasses, weeds, or other vegetation growing, or which has grown and died, shall not exceed 6 inches in height.

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 10.06.030 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):

Mow the grass and weeds throughout the property including the front, sides, and backyard, remove the accumulated garbage, and properly store the inoperable vehicle currently stored in the yard, in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by July 9, 2023 no later than 5:00 p.m.

You received notice dated May 15, 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: July 11, 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 June 8, 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

FINAL Correction Notice

Date: 5/15/2023

Location: 410 Rossell Ave, Richland WA 99352

Report #: 20220996

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 (P) Grasses and weeds over 6 inches in height: Public Nuisance Affecting Peace and Safety: all grasses, weeds, or other vegetation growing, or which has grown and died, shall not exceed 6 inches in height.

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 10.06.030 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):

Mow the grass and weeds throughout the property including the front, sides, and backyard, remove the accumulated garbage, and properly store the inoperable vehicle currently stored in the yard, in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 6/5/2023 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

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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 5/15/2023 by 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