



**Agenda**  
Code Enforcement Board Meeting  
Tuesday, June 9, 2026  
Richland City Hall - Council Chambers  
625 Swift Boulevard

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**Regular Meeting - 6:00 p.m.**

**Call to Order/Attendance**

**Approval of Agenda** (Approved by Motion)

**Public Comments:** Public comments will be limited to 2 minutes per speaker.

**Approval of Minutes** (Approved by Motion)

1. Approval of May 12, 2026 Code Enforcement Board Meeting Minutes
  - Bunnie Avery, Administrative Assistant II

**Compliance Hearings/Administration of Oaths**

2. In re Appeal of Mark Erickson - Civil Trespass from Richland Community Center
  - Heather Kintzley, City Attorney
3. Case No. 20251180, Robert Thornton
  - Stephanie Dorko, Code Enforcement Officer

**Continued Cases/Old Business**

**Liaison Comments**

4. Richland Municipal Code Chapter 10.02 Amendment Related to Violations and Procedures
  - Heather Kintzley, City Attorney

**Adjournment**

Richland City Hall is ADA accessible. Any individual who has difficulty attending the meeting in-person may request to provide comments remotely. (RCW Ch. 42.30) 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.



**MINUTES**

Code Enforcement Board Meeting  
Tuesday, May 12, 2026  
Richland City Hall ~ Council Chambers  
625 Swift Boulevard

*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**

Attendance:	Skye White, Chair	Present
	Jenna Coddington, Vice-Chair	Present
	Eric Bostrom, Member	Present
	Linda Johnson, Member	Excused
	Branden Gradin, Member	Present

Also present were Council Liaison Samuel, Staff Liaison Mutrux, Code Enforcement Officer Dorko, Code Enforcement Officer Williams, Code Enforcement Officer Glasen, and Administrative Assistant II Avery

**Approval of Agenda**

**VICE-CHAIR CODDINGTON MOVED AND MEMBER BOSTROM SECONDED THE MOTION TO APPROVE THE MAY 12, 2026 MEETING AGENDA AS PRESENTED. MOTION CARRIED 4-0.**

**Public Comments**

None.

**1. Approval of Minutes**

Approval of the March 10, 2026 Code Enforcement Board Meeting Minutes.

**MEMBER BOSTROM MOVED AND VICE CHAIR CODDINGTON SECONDED THE MOTION TO APPROVE THE MARCH 10, 2026 CODE ENFORCMEENT BOARD MEETING MINUTES AS PRESENTED. MOTION CARRIED 4-0.**

**Compliance Hearings**

Chair White provided an overview of the hearing process and called the first case to be

heard.

### New Cases

- |                                   |                                        |
|-----------------------------------|----------------------------------------|
| 2. 20260308                       | Taylor Knipp                           |
| Location of Violations:           | 2100 Pullen Street, Richland, WA 99354 |
| Mailing Address:                  | Same                                   |
| Description of Violations:        | RMC 11.33.020 Trailer Storage          |
| Notice of Civil Violation Issued: | April 28, 2026                         |

### Administration of Oaths

Chair White administered the oath to Code Enforcement Officer Jamie Williams.

### Case Report

Respondent was not present and no party came forward. Code Enforcement Officer Jamie Williams asked for a default order pursuant to RMC 10.02.060(F) with the following recommendation.

### 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 repeat Notice of Civil Violation (Exhibit 1).

### Code Board Decision

**VICE-CHAIR CODDINGTON MOVED AND MEMBER BOSTROM SECONDED THE MOTION 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 REPEAT NOTICE OF CIVIL VIOLATION AS COMPLIANCE HAS BEEN MET. MOTION CARRIED 4-0.**

- |                                   |                                                                                                                                    |
|-----------------------------------|------------------------------------------------------------------------------------------------------------------------------------|
| 3. 20250770                       | Vincent & Tabitha Dellaripa                                                                                                        |
| Location of Violations:           | 402 Winslow Avenue, Richland, WA 99352                                                                                             |
| Mailing Address:                  | Same                                                                                                                               |
| Description of Violations:        | RMC 10.04.040(P) Grass and Weeds, RMC 10.04.040(G) Household Items and Vehicle Parts, and RMC 10.06.030 Inoperable Vehicle Storage |
| Notice of Civil Violation Issued: | April 27, 2026                                                                                                                     |

### Administration of Oaths

Chair White administered the oath to Code Enforcement Officer Stephanie Dorko.

## Case Report

Respondent was not present and no party came forward. Code Enforcement Officer Stephanie Dorko asked for a default order pursuant to RMC 10.02.060(F) with the following recommendation.

Vice Chair Coddington asked for clarification on the case number. The case number noted on the agenda is incorrect. The correct case number is 20250770.

## 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 mow the entire property so grass and weeds do not exceed 6 inches in height. Remove all household items and vehicle parts from the exterior of the home and store or dispose. Make necessary repairs and demonstrate that the white Jeep Wrangler with WA plate BSB7527 is operable under its own power or store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by June 7, 2026, the City may proceed with abatement.

## Code Board Decision

**MEMBER BOSTROM MOVED AND VICE-CHAIR CODDINGTON SECONDED THE MOTION 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 REPEAT NOTICE OF CIVIL VIOLATION AS COMPLIANCE HAS NOT BEEN MET. FOR COMPLIANCE TO BE MET MOW THE ENTIRE PROPERTY SO GRASS AND WEEDS DO NOT EXCEED 6 INCHES IN HEIGHT. REMOVE ALL HOUSEHOLD ITEMS AND VEHICLE PARTS FROM THE EXTERIOR OF THE HOME AND STORE OR DISPOSE. MAKE NECESSARY REPAIRS AND DEMONSTRATE THAT THE WHITE JEEP WRANGLER WITH WA PLATE BSB7527 IS OPERABLE UNDER ITS OWN POWER OR STORE IN ACCORDANCE WITH THE RICHLAND MUNICIPAL CODE. IF CORRECTION OF THE VIOLATION HAS NOT OCCURRED BY JUNE 7, 2026, THE CITY MAY PROCEED WITH ABATEMENT. MOTION CARRIED 4-0.**

## Continued Cases

None

## Liaison Comments

### 4. Previous Case Updates

2100 Pullen – the black trailer has been towed twice and each time it returns parked on the street.

**Adjournment**

Chair White adjourned the meeting at 6:20 p.m.

APPROVED:

ATTEST:

\_\_\_\_\_  
Skye White, Chair

\_\_\_\_\_  
Bunnie Avery, Administrative Assistant II

DATE APPROVED:

DATE PUBLISHED:



## CODE ENFORCEMENT BOARD AGENDA ITEM STAFF REPORT

Meeting Date: 6/9/2026    Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Heather Kintzley, City Attorney

### Subject

In re Appeal of Mark Erickson - Civil Trespass from Richland Community Center

### Department/Office

City Attorney

### Document Type

Code Enforcement Board Item

### Recommended Motion

#### Summary

Mark Erickson appeals a 1-year civil trespass from the Richland Community Center. The trespass notice was issued by city staff on May 5, 2026, and was based on Mr. Erickson's failure to follow lawful staff directive(s) as provided in RMC 2.34.020. Appeals of civil trespass notices are heard by the Code Enforcement Board per RMC 2.34.100(C).

During the hearing, the Code Enforcement Board will consider the testimony and documentary evidence from both parties. Formal rules of evidence do not apply, but fundamental due process shall govern the proceedings. The City is responsible for proving, by a preponderance of the evidence, that the notice of civil trespass was properly issued pursuant to the criteria identified in RMC 2.34.020.

If the appellant fails to attend the scheduled hearing, the Code Enforcement Board will dismiss the appeal and affirm the 1-year civil trespass notice.

At the conclusion of the hearing, the Code Enforcement Board will deliberate on the evidence and render a decision to affirm or rescind the trespass notice. All decisions of the Code Enforcement Board are determined by majority vote. Within five (5) business days of the hearing, the chair of the Code Enforcement Board will reduce the Board's decision to writing, a copy of which will be mailed U.S. first-class mail to the appellant at the address provided. If no address is provided, a copy of the decision will be posted at the front desk of the Richland Police Department.

The City will provide evidence in the form of staff and officer testimony and BWC/surveillance video. Appellant Mark Erickson is also invited to testify and provide evidence.

### Fiscal Impact

#### Attachments

1. Civil Trespass Appeal - 26-021949 - Mark Erickson
2. Trespass Notice - Mark Erickson
3. Chapter 2.34 RMC - Notice of Civil Trespass for Public Property

RECEIVED

MAY 15 2026

RICHLAND CITY CLERK

1201 Fontana Court  
Richland, Washington 99354  
telephone: 1-(509)-946-6172  
May 15, 2026

Ms. Jennifer Rogers  
City Clerk  
Richland City Clerk's Office  
625 Swift Boulevard  
Richland, Washington 99352

Dear Ms. Rogers:

Subject: Appeal to Civil Trespass Notice (26-021949)

I have been weight training since 1967. Since then, I have been a member of and trained in numerous health clubs, such as Club Oxford (no longer in existence) (Vancouver, Wash.), the Downtown Y.M.C.A. in Seattle, the Columbia Basin Racquet Club, the fitness room at the Richland Community Center (of which I have been a member for over a year), and many others. During that time, one becomes exposed to the different ambiances and clientele that each club has; one sees many different personalities, methods of training, the different goals that each person has, and the resources that each club provides for its members. I have seen a lot in my many years of weight training. (Generally, I am the type of individual who simply does his own routine, with little or no interaction with others.)

Typically, when going to the Community Center, I check in at the front desk, getting a key card for use of the fitness room from one of the clerks at the front desk. (I ride my bicycle to the Community Center, and I park my bike in the fitness room while I am exercising; I have permission to do this.) When entering the fitness room, I temporarily park my bike in an unobtrusive "staging area," hang up my jacket and cap on the coat hooks, take my exercise shoes to the small bookshelf (which serves as a counter for users's personal items), and then take my bike to a remote corner of the room (under the television screen), where it is out of the way of other users.

On Tuesday, May 5<sup>th</sup>, 2026, when I entered the fitness room, I noticed three persons who had been in the fitness room when I was on the preceding Saturday (May 2<sup>nd</sup>): one male adult and two boys. (These are the only two times I have ever seen this trio in the fitness room.) When I took my bike to its "staging area," the adult immediately arose from the seat of the lat pull-down machine and approached me. He initiated his attack with a sly

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opening gambit: he stated that I should remove my bike from its current location, and, pointing to the corner where I always park my bike, told me to "move it over there." Oh?; Is that right? Has the Richland Parks and Recreation Department suddenly hired a traffic director for its fitness room? (How many other users of the fitness room do you think have ever mentioned anything whatsoever about my bike? answer: zero.) On Saturday, the 2<sup>nd</sup>, I had entered the fitness room when the trio was already in there, so the adult *must have seen that I had first taken my bike to its "staging area" and then parked it in the corner;* was his sneaky admonishment on the 5<sup>th</sup> even necessary (unless, of course, if he were trying to provoke something)? Moving forward to May 5<sup>th</sup>, I told the adult that the corner of the room was where I always parked my bike. I parked my bike in the corner and went over to the coat hooks. While hanging up my personal items, I heard someone behind me speaking in a loud voice, although I couldn't distinguish what the person was saying; I assumed it was the adult, but I didn't pay any attention to him, since I supposed that our spat about my bike had ended. After hanging up my personal items, I turned around and saw that the adult was speaking to me. Since I couldn't make out what he was saying, I walked over to him. Evidently, he hadn't been satisfied with the results from his opening salvo, so he began accusing me of (on Saturday, the 2<sup>nd</sup>) telling one of his charges to get off a machine that the boy was using. That is a flat-out lie: I had said nothing to the boy. Further, the adult claimed that I had disrespected [*sic*] the boy. After I denied the adult's accusations, he shot right back with, "Yes, you did!," which he kept repeating. An argument ensued. Throughout our time in the fitness room together, his behavior was extremely confrontational, highly provocative, and very inflammatory towards me. (Isn't there a code of behavior posted on the fitness room's bulletin board?)

This guy was looking for a fight.

In my fifty-nine years of weight training, this has been a singular incident: I have never experienced or seen a situation such as this. During my "discussion" with the adult, it became obvious that he was a complete novice when it came to weight training: he didn't know the name of a piece of equipment the boy had been sitting on (a seat); he didn't know the exercise that I had been performing (calf raisers, which even a beginner would know); and, clearly, he didn't know how to deport himself in a public gym. (Why didn't he bring up the problem with my bike on the 2<sup>nd</sup>: why wait until my next time in the gym?; why didn't he say something on the 2<sup>nd</sup> about my "disrespecting" one of the boys?)

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The fitness room is equipped with video-surveillance equipment. I request that the committee members for this appeal review the following videos:

1. Saturday, May 2<sup>nd</sup>, ~2:00 p.m. (the day I had supposedly told a boy to get off a piece of equipment).
2. Tuesday, May 5<sup>th</sup>, ~1:00 p.m.(?) (the day of the adult's approaching me).
3. any other time that I had been in the fitness room (which will give the viewer a good idea of how I conduct myself in the fitness room).

After my "debate" with the adult had ended, I went to the sink counter-top in the fitness room to get a wipe-down rag. There were none. (When there are no wipe-down rags or spray cleaner in the room, I go to the front desk and inform the clerks.) I left the room and went to the front desk; on my way up there, I decided to tell the clerks about the adult's behavior. There were two clerks (ladies) on duty. I spoke with the the hefty one with the dyed red-hair (she occasionally uses the fitness room; she and I have been in the fitness room at the same time). I asked her about the video-surveillance equipment (each of the clerks has a monitor right in front of her); I was going to ask her to rewind the live video for, say, five minutes, so that she could see what had happened in the fitness room. During our conversation, the lady told me that the two boys with the adult were mentally retarded; she said that she wasn't sure about the adult. While I was speaking to her, the adult in the fitness room came to the front desk. His behavior in the fitness room had been so bizarre and inexcusable, that I asked him if he had mental problems (nothing smart-alecky there; I asked him in a very plain, matter-of-fact way). He responded with a guffaw, stating, "You can't be serious." He then proceeded to tell the lady to whom I was speaking that I had invaded the boy's bubble [*sic*] and had made the boy feel uncomfortable. Note that the adult *completely changed his story from what he had claimed in the fitness room*: he had dropped the accusation about my telling the boy to get off the piece of equipment the boy had been on. Another, milder, argument ensued between him and me. (I wasn't about to stand there like a shrinking violet, while this guy made more unfounded accusations about me.)

At this point, another lady (an administrator, I assume) came to the front desk and ordered me away from the desk clerk to whom I was speaking (so, I never knew if the desk clerk ever rewound the video and saw what had happened in the fitness room). The adult from the fitness room continued making his false accusations against me, now, to the administrator. The administrator would not listen to me, focusing her attention on my accuser. Next, a lady named Jen (sp. ?) came to where the three of us were gathered. *Within one*

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*minute*, she threatened me with calling the police (for what?; Did she even try to find out what the problem was?; answer: no, she hadn't). Now, is that the action of a person who is trying to resolve a conflict or simply the snap-response of an arrogant, trigger-happy, individual who has an I'm-the-boss;-I-don't-have-to-listen-to-anybody attitude? Could it be the action of a person who is holding a grudge against someone? (It should be noted that neither of the two desk clerks seemed to have been fazed at all by any of this: there was no reaction from either of them. Neither of them had asked an administrator to come out to the front desk.)

(I want to say a word about two previous discussions [maybe six months ago] that I had had with Jen. I had taken some time off from exercising at the fitness center for, perhaps, a month or two. When I came back, a two-in-one work station [the seated leg-press and cable-curl devices] had been removed from the "Vectra" fitness station; they had been replaced by another seated leg-press machine and a cable-curl / tricep-pushdown machine. I had two talks [Neither was in any way antagonistic or had an "edge" to it; they were about two or three days apart.] with Jen about the change. [I was dismayed with the switch, because I had liked the "Vectra" leg-press station and had had used it a lot.] Understandably, it was too late to do anything about the switch. Maybe two or three days after the second talk with Jen, I spoke with her briefly for a third time. One might call this an apology for my extending a discussion [to two talks] on a situation about which nothing could be done. I wanted her to know that I had no hard feelings towards her [a situation that now has radically changed]. Now, I certainly regret having apologized to a person such as her.)

During the time that the two administrators, my accuser, and I were talking, administrator number one made a particularly insulting, childish gesture towards me: she feigned fear by cringing and withdrawing from me, as if I were some sort of freak, something less than a human being. Is this the type of character (or, rather, lack of character) and behavior from a city employee that is condoned? Finally, I asked the first administrator who had come out to the front desk if she would go to the fitness room with me, so that I could show her exactly what had happened on Saturday (the day the adult claimed that I had spoken to one of the boys). *The administrator refused to do that.* So there were two administrators out there—neither one of them knowing what the problem was (because neither had asked)—but both implicitly accusing me of "something."

Since administrator number one refused to go to the fitness room with me, I went back there in order to begin my workout. No sooner had I entered the fitness room, than Jen and three city police-officers entered the room; I was told that I was being cited with civil trespass, and I would have to leave the property immediately. I got my gear together and left the building. There were five or six police officers outside the building, along with an

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equal number of police cars. (The "peace officers" in this community must have a lot of spare time on their hands.) I was handed a "notice of civil trespass" with a one-year duration.

So, I went into the fitness room on the fifth; I was immediately was confronted by an agitator; then, two administrators—neither of whom would even let me say anything—implied that I was the cause of "some problem"; and, finally, I was subjected to public humiliation by being surrounded by six police officers on the Community Center's grounds. For what???, because I had gone to the Community Center to finish my last workout of the week? (I exercise six days a week, taking Wednesdays off.)

I request the following:

1. An immediate rescission of my trespass violation, without restrictions.
2. An appropriate extension of my fitness pass for the time that I have lost.
3. Apologies from each of the two administrators.
4. Two-hundred and fifty dollars (\$250) from the Police Department for a pair of workout shoes. (I only wear my workout shoes while in the gym: I never use them as street shoes. I was wearing my workout shoes in the fitness room. When the policewoman saw me pick up my street shoes, she shouted, "Don't change your shoes!" at me with scorn and contempt in her voice [you know: real tough-like; was she trying to intimidate me?; was she trying to cow me?; was she hoping I would be shaking in my boots, fearful of "authority," or "force"?] This is the only time I have worn my workout shoes on the street.)
5. Sanctions against the adult agitator who started all this.

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. Erickson", with a long, sweeping horizontal stroke extending to the right.

Mark Erickson



# CITY OF RICHLAND POLICE

Incident Number: 20-021949

871 GEORGE WASHINGTON WAY | RICHLAND, WA 99352  
509.942.7340 | WWW.CI.RICHLAND.WA.US

### NOTICE OF CIVIL TRESPASS-PUBLIC PROPERTY-CITY OF RICHLAND-ISSUED PURSUANT TO RMC 2.34

This serves as notice that you are no longer allowed to enter upon the following City-Owned property for the duration of time specified below:

500 Armon Park: Richland Community Center  
Location Address (if multiple, list all)

Date of Trespass: 5/5/20 Expires (1 year) 1st violation/2 years-2<sup>nd</sup> violation from date of trespass/permanent):

If you return to this property/premise prior to the expiration of this notice, you are subjected to immediate arrest under RMC 9.06.070 (Trespass) or RCW 9A.52.070 (Criminal Trespass 1<sup>st</sup>) or RCW 9A.52.080 (Criminal Trespass 2<sup>nd</sup>). You may be subject to additional charges, including RCW 9A.52.010 (Burglary).

#### Person Served

Last Name: Erickson DOB: 10/23/99  
First Name: Mark Middle Initial: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_

Verbally provided ID  Photo ID Provided

I have received a copy of this trespass warning \_\_\_\_\_  
(Signature of Person Served)

Subject refused to sign  Copy provided to subject

I, Jenny, declare under penalty of perjury that on 5/5/20 at 1512 (time), I did personally serve the above-named individual with a copy of this Notice of Civil Trespass.

Signature: [Signature] Printed name: JENNY

Should this trespass order be rescinded, immediately notify RPD to update the status of the trespass order. The Richland Police Department can be reached at 509-942-7340 or via email at: [RPDrecords@ci.richland.wa.us](mailto:RPDrecords@ci.richland.wa.us).

Please refer to RMC 2.34 for further information related to trespass from City Property.

#### Notice of Right to Appeal

Respondent has the right to appeal this civil trespass notice per RMC 2.34.100. An appeal of the Notice of Civil Trespass must be filed, in writing, within 10 calendar days of the issuance of the warning, and shall include the appellant's name, address and phone number, if any. No fee shall be charged for filing the appeal. The appeal shall be filed with the Richland City Clerk's Office located at 625 Swift Blvd, Richland, WA. Phone: 509-942-7389

## Chapter 2.34

### NOTICE OF CIVIL TRESPASS FOR PUBLIC PROPERTY

Sections:

- 2.34.010 Purpose.
- 2.34.020 Authorization to issue notice of civil trespass – City employees.
- 2.34.030 Authorization to issue notice of civil trespass – Law enforcement.
- 2.34.040 Right-of-way defined.
- 2.34.050 Limitations on trespass duration.
- 2.34.060 Service of notice – Content.
- 2.34.070 Violations – Penalty.
- 2.34.080 Protected First Amendment activity.
- 2.34.090 City property closed to the public.
- 2.34.100 Appeal of notice of civil trespass.
- 2.34.110 Additional enforcement procedures.
- 2.34.120 Severability.

**2.34.010 Purpose.**

The purpose of this chapter is to adopt a legally sound process for excluding from city property any individual whose behavior is dangerous, illegal, or unreasonably disruptive to other users while recognizing the rights of individuals to engage in legitimate activities that may occur on city-owned property. This chapter is enacted as an exercise of the city's authority to protect and preserve the public health, safety and welfare. [Ord. 28-15 § 1].

**2.34.020 Authorization to issue notice of civil trespass – City employees.**

The city employees or officials, or their designees, having control over a city facility, building, or outdoor area, including municipal parks, are authorized to issue a notice of civil trespass to any individual who violates any city ordinance, rule or regulation, or state law or lawful directive of a city employee or official which violation was committed while on or within a city facility, building, or outdoor area, including municipal parks (but excluding rights-of-way), for the specific property where the violation occurred. [Ord. 28-15 § 1].

**2.34.030 Authorization to issue notice of civil trespass – Law enforcement.**

When no other city employee or official having control over a city facility, building, or outdoor area, including municipal parks, is present, a police officer is authorized to issue a notice of civil trespass to any individual who violates any city ordinance or state law which was committed while on or within a city facility, building, or outdoor area, including municipal parks (but excluding rights-of-way), for the specific property where the violation occurred. [Ord. 28-15 § 1].

**2.34.040 Right-of-way defined.**

For the purpose of this chapter, right-of-way shall include those sidewalks which are closest to a paved street; provided, that the street-side edge of the sidewalk is within 20 feet of the curb-line closest to the property. [Ord. 28-15 § 1].

**2.34.050 Limitations on trespass duration.**

Notices of civil trespass shall be issued as follows:

- A. For the first violation, the individual may be issued a notice of civil trespass for a period not to exceed one year.
- B. For a second or subsequent violation, the individual may be issued a notice of civil trespass for a period not to exceed two years. [Ord. 28-15 § 1].

**2.34.060 Service of notice – Content.**

A copy of the civil trespass notice shall be provided by mail or hand delivery to the individual and to the city employee or official having control over the city park, facility, building or outdoor area. The written trespass notice shall advise of the right to appeal and the location and telephone number for filing the appeal. [Ord. 28-15 § 1].

**2.34.070 Violations – Penalty.**

Any person found on or within any city facility, building, or outdoor area, including municipal parks, in violation of a notice of civil trespass may be arrested for trespassing, except as otherwise provided in this chapter. [Ord. 28-15 § 1].

**2.34.080 Protected First Amendment activity.**

The city employee or official having control over a city facility, building, or outdoor area, including municipal parks, may authorize an individual who has received a notice of civil trespass to enter the property or premises to exercise his or her First Amendment rights if there is no other reasonable alternative location to exercise such rights or to conduct necessary municipal business. Such authorization must be in writing, shall specify the duration of the authorization and any conditions thereof, and shall not be unreasonably denied. [Ord. 28-15 § 1].

**2.34.090 City property closed to the public.**

This chapter shall not be construed to limit the authority of any city employee or official to issue a notice of civil trespass to any person for any lawful reason for any city property, including rights-of-way, when closed to general vehicular or pedestrian use, when to do so is necessary or appropriate in the sole discretion of the city employee or official. [Ord. 28-15 § 1].

**2.34.100 Appeal of notice of civil trespass.**

A person to whom a notice of civil trespass is issued under this chapter shall have the right to appeal as follows:

- A. An appeal of the notice of civil trespass must be filed, in writing, within 10 calendar days of the issuance of the warning, and shall include the appellant's name, address and phone number, if any. No fee shall be charged for filing the appeal.
- B. The appeal shall be filed with the city clerk's office.
- C. Appeals shall be heard by the code enforcement board pursuant to RMC 2.20.050.
- D. Upon receipt of the appeal, the matter shall be placed on the agenda of the next regularly scheduled code enforcement board meeting. Notice of the hearing shall be provided to the appellant by U.S. first-class mail to the address listed in the written appeal. If no address is provided, notice shall be sufficient when left at the front desk of the Richland police department no less than 10 calendar days prior to the scheduled hearing.
- E. No appeal shall be heard within five or fewer business days of a regularly scheduled code enforcement board meeting. If an appeal is filed with the city clerk's office with five or fewer business days before the next regularly scheduled code enforcement board meeting, the matter shall automatically be placed on the subsequent month's meeting agenda.
- F. Copies of documents in the city's control which are intended to be used at the hearing, and which directly relate to the issuance of the notice of civil trespass to the appellant, shall be made available upon request to the appellant at no cost.
- G. The appellant and the city shall have the right to attend with an attorney, the right to testify, to call witnesses, to cross-examine witnesses and to present evidence. All appeal hearings shall be audio recorded. The appellant shall have the right to bring a court reporter at his or her own expense, and/or to commission a transcription of the audio recording of the hearing at his or her own expense.
- H. The code enforcement board shall consider the testimony, reports or other documentary evidence, and any other evidence presented at the hearing. Formal rules of evidence shall not apply, but fundamental due process shall govern the proceedings.
- I. The city shall bear the burden of proof by a preponderance of the evidence that the notice of civil trespass was properly issued pursuant to the criteria of this section.
- J. If the appellant fails to attend a scheduled hearing, the code enforcement board shall dismiss the appeal and affirm the notice of civil trespass issued by the city.

K. At the conclusion of the hearing, the code enforcement board shall deliberate on the evidence and render a decision. All decisions of the code enforcement board shall be made by majority vote. Within five business days of the hearing, the chair of the code enforcement board shall reduce the board's decision to writing, a copy of which shall be mailed U.S. first-class mail to the appellant at the address provided. If no address is provided, a copy of the decision shall be posted at the front desk of the Richland police department.

L. The decision of the code enforcement board shall be final and the appellant shall be deemed to have exhausted all administrative remedies. An appeal of the code enforcement board's decision must be filed with Benton County superior court no later than 5:00 p.m. on the fourteenth day following the date the written decision is provided to the appellant either by mail or by posting as described herein.

M. The notice of civil trespass shall remain in effect during the appeal and review process, including any judicial review. [Ord. 28-15 § 1].

**2.34.110 Additional enforcement procedures.**

The provisions of this chapter are not exclusive, and may be used in addition to other enforcement provisions authorized by the Richland Municipal Code except as precluded by law. [Ord. 28-15 § 1].

**2.34.120 Severability.**

If any one or more sections, subsections or sentences of this chapter are held to be unconstitutional or invalid, such decision shall not affect the validity to the remaining portions of this chapter and the same shall remain in full force and effect. [Ord. 28-15 § 1].



## CODE ENFORCEMENT BOARD AGENDA ITEM STAFF REPORT

Meeting Date: 6/9/2026    Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By: Stephanie Dorko, Code Enforcement Officer

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### Subject

Case No. 20251180, Robert Thornton

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### Department/Office

Police

### Document Type

Code Enforcement Board Item

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### Recommended Motion

#### Summary

Location of Violation:            2309 Pullen St, Richland, WA 99354  
Mailing Address:                    1633 Howell Ave, Richland, WA 99354  
Description of Violations:        RMC 10.04.040(G) household items and vehicle parts  
                                                  RMC 10.04.040(F) 2+ yards debris  
Notice of Civil Violation Issued:    May 18, 2026

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### Fiscal Impact

#### Attachments

- I.    2309 Pullen Packet



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

## **NOTICE OF CIVIL VIOLATION**

91 7199 9991 7038 4495 2060

May 18, 2026

Robert Thornton  
1633 Howell Ave  
Richland, WA 99354

Case Number: 20251180

An inspection on May 18, 2026 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):**

2309 Pullen St, Richland, WA 99354

### **Description of Violation(s):**

RMC 10.04.040(G) – The permitting to remain outside any dwelling, building, or other structure any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side or rear yard of the property which may be maintained by a “responsible person” as defined in RMC 10.04.010 and which items can be seen from a public sidewalk, street or road unless enclosed behind a 100 percent sight-obscuring fence and in a manner where it is not visible from public property or from private property when observer is standing at ground level.

RMC 10.04.040(F) – Erecting, maintaining, using, placing, depositing, leaving, or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the city, the total of which material would exceed two cubic yards in volume.

### **Required Corrective Action(s):**

Remove all household items and vehicle parts from the front and back yard and store or dispose. Remove all debris including construction and building materials, fencing/wires, open containers including pots, totes and bins, trash and cardboard from the front and back yard and store or dispose of in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by June 7, 2026 no later than 5:00 p.m.

You received notice dated January 12, 2026 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 9, 2026

Time: 6:00 PM

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

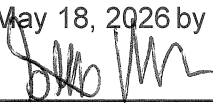
**Compliance BEFORE the Hearing:** If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty 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 18, 2026 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.***



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

## **CORRECTION NOTICE**

January 12, 2026

Location: 2309 Pullen St, Richland, WA 99354

Report: 20251180

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 action to bring your property into compliance as identified herein.

### **Description of Violation(s):**

RMC 10.04.040(G) – The permitting to remain outside any dwelling, building, or other structure any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side or rear yard of the property which may be maintained by a “responsible person” as defined in RMC 10.04.010 and which items can be seen from a public sidewalk, street or road unless enclosed behind a 100 percent sight-obscuring fence and in a manner where it is not visible from public property or from private property when observer is standing at ground level.

RMC 10.04.040(F) – Erecting, maintaining, using, placing, depositing, leaving, or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the city, the total of which material would exceed two cubic yards in volume.

RMC 23.38.120 – No person shall live in or continuously occupy a recreational vehicle, as defined in RMC 23.06.802, whether or not self-contained, within any zoning district within the city, unless said recreational vehicle is located within a legally established recreational vehicle park or recreational vehicle campground; except that the temporary occupancy of a recreational vehicle parked on a residentially zoned property for a period of up to 14 days is permitted. No residential property shall be permitted more than a total of 28 days of temporary occupancy during any calendar year.

### **Required Corrective Action(s):**

\*\*\* FINAL NOTICE \*\*\*

Remove all household items and vehicle parts from the front and back yard and store or dispose. Remove all debris including construction and building materials, fencing/wires, construction equipment and trash and store or dispose. Do not allow anyone to continuously occupy the camper trailer in the back yard in accordance with the Richland Municipal Code.

The corrective action(s) identified in this Correction Notice must be completed by January 26, 2026 no later than 5:00 p.m.

Failure to remedy the violation(s) identified in this Correction Notice will result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board. At the hearing, the Code Enforcement Board will hear the evidence presented and determine whether one or more violations has occurred.

If you are found by the Code Enforcement Board to have committed the violation(s) cited, 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.

To avoid receiving a Notice of Civil Violation, please take the corrective action identified in this Correction Notice by the date specified. If you have questions or need more information, please contact the Code Enforcement Officer listed below.

Issued on January 12, 2026 by the Code Enforcement Officer listed below.

Stephanie Dorko, Code Enforcement  
Phone: (509) 942-7644

*Attachment – Process Letter*

***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

### Process Letter

To Whom it May Concern:

The City has become aware of possible violation(s) of the Richland Municipal Code occurring on property owned or controlled by you. We hope to work with you to correct the violation(s), and we will take reasonable steps to allow for voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in the Correction Notice.

With the exception of barking dog complaints, which are handled in Benton County District Court, the following process is followed for civil code violations in the City of Richland:

1. Initial Inspection: An initial on-site inspection is performed by the City when a complaint is received or when a violation is observed by Code Enforcement. No further action is taken by the City if there is no evidence from the on-site inspection indicating a violation has occurred.
2. Correction Notice Issued: The City will issue a Correction Notice if the initial on-site inspection revealed evidence that a violation has occurred. The notice will describe the violation(s) and the specific corrective action required to achieve compliance. The City will make available a community resources guide listing community organizations that may be available to assist.
3. Follow-Up Inspection: On the date following the deadline for compliance provided in the Correction Notice, the City will perform a follow-up on-site inspection to determine whether voluntary compliance has been met.
  - a. If the follow-up inspection reveals that voluntary compliance has been met, the case will be closed and no further action will be required.
  - b. If the follow-up inspection reveals that voluntary compliance has not been met, the City will issue a Notice of Civil Violation for the violation(s) and schedule a hearing before the Code Enforcement Board.
4. Notice of Civil Violation Issued: A Notice of Civil Violation is issued when voluntary compliance is not met by the deadline provided in the Correction Notice. The Notice of Civil Violation contains a hearing date before the Richland Code Enforcement Board, who will hear the evidence and determine whether to affirm or disaffirm the City's Notice of Civil Violation. If you receive a Notice of Civil Violation, you are required to appear before the Code Enforcement Board. Failure to appear will result in entry of a default order affirming the violation(s).
  - a. A minimum penalty of \$50,000 shall be assessed for each Notice of Civil Violation that is affirmed by the Code Enforcement Board, regardless of whether compliance has been met. The maximum penalty the Code Enforcement Board may impose is \$500 per day per violation up to \$5,000 for all violations.
  - b. Note: In lieu of advancing your case to the Code Enforcement Board, you may be eligible to enter into a Voluntary Correction Agreement with the City. A Voluntary Correction Agreement is a binding contract between you and City whereby you agree

to correct the violation(s) within a specified timeframe (usually an extended timeframe) in exchange for granting consent to the City to abate the violation(s) and agreeing to a specific monetary penalty if you fail to correct the violation(s) yourself. Voluntary Correction Agreements will not be used for violations involving dangerous or hazardous conditions, or for repeat violations. Contact the Code Enforcement Officer responsible for your case to learn more about Voluntary Correction Agreements.

5. Code Enforcement Board Hearing: If your case advances to a hearing before the Richland Code Enforcement Board, you will be afforded an opportunity to present evidence and cross-examine the City's witnesses. At the conclusion of the hearing, the Board will determine whether the City has proven, by a preponderance of the evidence, that one or more violations of the Richland Municipal Code has occurred.
  - a. If the Board finds that one or more violations exist, monetary penalties will be imposed and corrective action will be ordered.
  - b. If the Board finds that insufficient evidence exists to affirm the violation(s), the case will be dismissed with no further action by you.
6. Assessment of Penalties. If the Board affirms the violation(s) and imposes monetary penalties, or if the terms of the Voluntary Correction Agreement are not met, the City will issue an invoice for payment. Failure to pay the penalties assessed may cause the City to pursue a number of collection actions, including but not limited to recording property liens, assigning the debt to a collection agency, or other legal action. Reimbursement for administrative costs may also be sought.

The City's objective is to work with you to achieve voluntary compliance. If you have questions about the code enforcement process, or if you need additional information, please contact the Code Enforcement Officer identified on your Correction Notice.