



Agenda
Code Enforcement Board Meeting
Tuesday, January 14, 2020
City Hall Council Chambers | 625 Swift Boulevard

Board Members: Chair Levy, Vice Chair White, and Board Members Ball, Guyette, and Victorine

Liaisons: Council Liaison Alvarez
Staff Liaisons Sergeant Harrison and Chief of Police John W. Bruce

Regular Meeting - 7:00 p.m. (City Hall Council Chambers)

Call to Order/Attendance:

Approval of Agenda: (Approved by Motion)

Approval of Minutes: (Approved by Motion)

Compliance Hearings/Administration of Oaths:

1. 20191851 Vickie Tarr

Location of Violation: 1400 blk Jones Rd.

Mailing Address: 1415 Jones Rd.

Description of Violation: RMC 11.33.020 Storage and parking of boats, RVs, trailers

Notice of Civil Violation Issued: December 26, 2019

- Code Officer Stephanie Dorko

2. 20191593 Jeffrey and Mary Lee Trustees

Location of Violation: 2209 Firerock Ave.

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (C) Trees overhanging sidewalk/street, RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/street

Notice of Civil Violation Issued: December 10, 2019

- Code Officer Lindsey Linhoff

3. 20191589 Kirby and Mercedes Hammond

Location of Violation: 2013 Greenview Dr.

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/street

Notice of Civil Violation Issued: December 10, 2019

- Code Officer Lindsey Linhoff

4. 20191588 Colleen M Mallon

Location of Violation: 145 Greenview Dr

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (C) Trees overhanging sidewalk/street, RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/street

Notice of Civil Violation Issued: January 2, 2020

- Code Officer Lindsey Linhoff

5. 20191552 Christopher Michaud

Location of Violation: 826 Abbot St

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (C) Trees overhanging sidewalk/street, RMC 10.04.040 (F) Over 2 cubic yards of debris, RMC 10.04.040(G) vehicle parts, ice chest, refrigerator, furniture, etc., RMC 10.04.040 (P) Grasses and weeds over 6 inches in height, RMC 10.06.030 Storage of inoperable vehicle

Notice of Civil Violation Issued: December 11, 2019

- Code Officer Jamie Williams

Execution of Orders:

Continued Cases/Old Business:

- I. Notice of Decision (case 20191129) executed on December 10, 2019 - Proposal to amend the decision to correct language in the notice.

- Sgt. Harrison

New Business/Liaison Comments:

Vic Reeve (Coordinator) - Benton County Noxious Weed Control Board

Konrad Kauer (Inspector) - Benton County Noxious Weed Control Board

-Presentation regarding noxious weed management

Adjournment

The next Code Enforcement Board Meeting is February 11, 2020

Richland City Hall is ADA accessible with special parking and access available at the entrance facing George Washington Way. Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the Code Enforcement Board Meeting by calling the City Clerk's Office at 942-7388.

Richland City Hall is ADA accessible. 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 942-7389.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191851 Vickie Tarr

Location of Violation: 1400 blk Jones Rd.

Mailing Address: 1415 Jones Rd.

Description of Violation: RMC 11.33.020 Storage and parking of boats, RVs, trailers

Notice of Civil Violation Issued: December 26, 2019

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 1400 blk Jones packet



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

NOTICE OF CIVIL VIOLATION

December 26, 2019

Vickie Tarr
1415 Jones Rd
Richland, WA 99354

Case Number: 20191851

An inspection on December 26, 2019 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):

1400blk Jones Rd, Richland, WA 99354

Description of Violation(s):

RMC 11.33.020 – No boat, camper (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers may be stored on public property or in a residential district. Public property includes but is not limited to public parks, parking lots, streets, roads, highways or sidewalks. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicle or personal property is set back ten (10) feet from any alley or roadway and meet the requirements of Chapter 10.06 RMC regarding inoperable and junk vehicles.

Required Corrective Action(s):

Remove the older model white RV with unknown license and VIN from the right of way in front of the property and store in accordance with Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by January 12, 2020 no later than 5:00 p.m.

You received notice dated November 22, 2019 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: January 14, 2020

Time: 7:00 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 December 26, 2019 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 - Nuisance Code Enforcement
871 George Washington Way, Richland, WA 99352 509-942-7739

CORRECTION NOTICE

November 22, 2019

Location: 1400blk Jones Rd, Richland, WA 99354

Report: 20191851

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 11.33.020 – No boat, camper (pickup), large vehicles, motor homes, recreational vehicles, snowmobiles or utility trailers may be stored on public property or in a residential district. Public property includes but is not limited to public parks, parking lots, streets, roads, highways or sidewalks. Storage of any vehicle or personal property is permitted on private property under the condition that such vehicle or personal property is set back ten (10) feet from any alley or roadway and meet the requirements of Chapter 10.06 RMC regarding inoperable and junk vehicles.

Required Corrective Action(s):

Remove the older model white RV with unknown license and VIN from the right of way and store in accordance with the Richland Municipal Code.

**** If the RV is stored on the property and not in an enclosure, the RV must be demonstrated to a Code Officer in person as operable.**

The corrective action(s) identified in this Correction Notice must be completed by December 15, 2019 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 November 22, 2019 by the Code Enforcement Officer signing below.

Signature: 

Printed Name: 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.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191593 Jeffrey and Mary Lee Trustees

Location of Violation: 2209 Firerock Ave.

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (C) Trees overhanging sidewalk/street, RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/street

Notice of Civil Violation Issued: December 10, 2019

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 2209 Firerock packet



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

NOTICE OF CIVIL VIOLATION

December 10, 2019

Jeffrey & Mary Lee Trustees
2209 Firerock Avenue
Richland, WA 99352

Case Number: 20191593

An inspection on December 5, 2019 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):

2200 Firerock Avenue, Richland WA 99352

Description of Violation(s):

RMC 10.04.040 (C) All limbs of trees are required to be no less than eight feet above the surface of any public sidewalk, or 14 feet above the surface of any street.

RMC 10.04.040 (R) 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.

Required Corrective Action(s):

Trim the shrubs along the Firerock Ave curb line so the sidewalk panels are 100% clear for 8 feet as measured vertically from the surface of the sidewalk in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by January 12, 2020 no later than 5:00 p.m.

You received notice dated September 26, 2019 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: January 14, 2020

Time: 7:00 PM

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

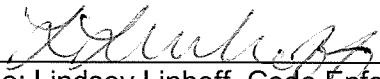
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 December 10, 2019 by the Code Enforcement Officer signing below.

Signature: 
Printed Name: Lindsey Linhoff, Code Enforcement
Phone: (509) 942-7740

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

September 26, 2019

Location: 2209 Firerock Ave, Richland WA 99352

Report: 20191593

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 (R) 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 10.04.040 (C) All limbs of trees are required to be no less than eight feet above the surface of any public sidewalk, or 14 feet above the surface of any street.

Required Corrective Action(s):

Please trim the limbs of the trees along the Firerock Ave curb line so they do not hang less than 8 feet above the surface of the sidewalk and trim the shrubs so the sidewalk panels are 100% clear in accordance with the Richland Municipal Code.

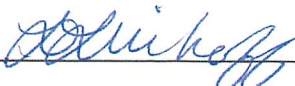
The corrective action(s) identified in this Correction Notice must be completed by October 17, 2019 no later than 5:00 p.m.

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 September 26, 2019 by the Code Enforcement Officer signing below.

Signature: 

Printed Name: Lindsey Linhoff, Code Enforcement
Phone: (509) 942-7740

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.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191589 Kirby and Mercedes Hammond

Location of Violation: 2013 Greenview Dr.

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/street

Notice of Civil Violation Issued: December 10, 2019

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 2013 Greenview packet



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

NOTICE OF CIVIL VIOLATION

December 10, 2019

Kirby & Mercedes Hammond
2013 Greenview Drive
Richland, WA 99352

Case Number: 20191589

An inspection on December 9, 2019 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):

2013 Greenview Dr, Richland WA 99352

Description of Violation(s):

RMC 10.04.040 (R) 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.

Required Corrective Action(s):

Clear the shrubs and debris from the Greenview Dr curb line so the sidewalk panels are 100% clear in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by January 12, 2020 no later than 5:00 p.m.

You received notice dated September 26, 2019 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: January 14, 2020

Time: 7:00 PM

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

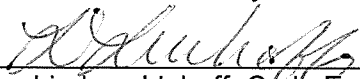
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 December 10, 2019 by the Code Enforcement Officer signing below.

Signature: 
Printed Name: Lindsey Linhoff, Code Enforcement
Phone: (509) 942-7740

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

September 26, 2019

Location: 2013 Greenview Dr, Richland WA 99352

Report: 20191589

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 (R) 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.

Required Corrective Action(s):

Please trim the shrubs along the Greenview Dr curb line so the sidewalk panels are 100% clear in accordance with the Richland Municipal Code.

The corrective action(s) identified in this Correction Notice must be completed by October 17, 2019 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 September 26, 2019 by the Code Enforcement Officer signing below.

Signature: 
Printed Name: Lindsey Linhoff, Code Enforcement
Phone: (509) 942-7740

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.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191588 Colleen M Mallon

Location of Violation: 145 Greenview Dr

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (C) Trees overhanging sidewalk/street, RMC 10.04.040 (R) Objects that interfere with or obstruct sidewalk/street

Notice of Civil Violation Issued: January 2, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 145 Greenview packet



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

NOTICE OF CIVIL VIOLATION

January 2, 2020

Colleen M Mallon
145 Greenview Drive
Richland, WA 99352

Case Number: 20191588

An inspection on January 2, 2020 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):

145 Greenview Dr, Richland WA 99352

Description of Violation(s):

RMC 10.04.040 (R) 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 10.04.040 (C) All limbs of trees are required to be no less than eight feet above the surface of any public sidewalk, or 14 feet above the surface of any street.

Required Corrective Action(s):

Trim the limbs of the evergreen tree along the Orchard Way curb line they do not hang less than 8 feet above the surface of the sidewalk or 14 feet above the surface of the roadway and clear the shrubs from along the Orchard Way and Greenview Dr curb lines so the sidewalk panels are 100% clear in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by January 12, 2020 no later than 5:00 p.m.

You received notice dated September 26, 2019 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: January 14, 2020

Time: 7:00 PM

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

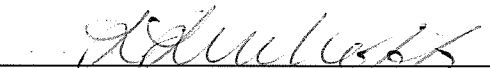
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 January 2, 2020 by the Code Enforcement Officer signing below.

Signature: 

Printed Name: Lindsey Linhoff, Code Enforcement

Phone: (509) 942-7740

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

September 26, 2019

Location: 145 Greenview Dr, Richland WA 99352

Report: 20191588

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 (R) 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 10.04.040 (C) All limbs of trees are required to be no less than eight feet above the surface of any public sidewalk, or 14 feet above the surface of any street.

Required Corrective Action(s):

Please trim the limbs of the tree along the Orchard Way and Greenview Dr curb lines so they do not hang less than 8 feet above the surface of the sidewalk and trim the shrubs so the sidewalk panels are 100% clear in accordance with the Richland Municipal Code.

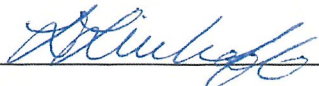
The corrective action(s) identified in this Correction Notice must be completed by October 17, 2019 no later than 5:00 p.m.

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 September 26, 2019 by the Code Enforcement Officer signing below.

Signature: 

Printed Name: Lindsey Linhoff, Code Enforcement
Phone: (509) 942-7740

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.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191552 Christopher Michaud

Location of Violation: 826 Abbot St

Mailing Address: Same as Above

Description of Violation: RMC 10.04.040 (C) Trees overhanging sidewalk/street, RMC 10.04.040 (F) Over 2 cubic yards of debris, RMC 10.04.040(G) vehicle parts, ice chest, refrigerator, furniture, etc., RMC 10.04.040 (P) Grasses and weeds over 6 inches in height, RMC 10.06.030 Storage of inoperable vehicle

Notice of Civil Violation Issued: December 11, 2019

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 826 Abbot packet



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

NOTICE OF CIVIL VIOLATION

December 11, 2019

Christopher Michaud
826 Abbot St
Richland, WA 99352

Case Number: 20191552

An inspection on December 10, 2019 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):

826 Abbot St, 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 10.04.040 (F) Over 2 cubic yards of debris: Public Nuisance Affecting Peace and Safety; erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the City, the total of which materials exceeds 2 cubic yards in volume. This section shall include keeping or storing the equivalent amount of material in a trailer, pickup bed, or other portable container to include vehicles.

RMC 10.04.040(G) 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 10.04.040 (C) Trees overhanging sidewalk/street: All limbs of trees are required to be no less than eight feet above the surface of any public sidewalk, or 14 feet above the surface of any street.

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 and maintain the grass and weeds throughout the property including the backyard in accordance with the Richland Municipal Code.

Remove the over 2 cubic yard of debris; including the trash, yard debris and wood in accordance with the Richland Municipal Code.

Properly store household items, including the two seat recliner, in accordance with the Richland Municipal Code.

Trim the tree(s) so the limbs do not hang lower than 8 feet over the sidewalk and do not hang lower than 14 feet over the roadway in accordance with the Richland Municipal Code.

Make repairs to the white Vehicle with WA plate AGN0536 and show as operable under its own power or properly store in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by January 12, 2020 no later than 5:00 p.m.

You received notice dated November 18, 2019 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: January 14, 2020

Time: 7:00 PM

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

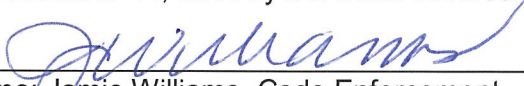
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 December 11, 2019 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

November 18, 2019

Location: 826 Abbot St, Richland WA 99352

Report: 20191552

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 (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 10.04.040 (F) Over 2 cubic yards of debris: Public Nuisance Affecting Peace and Safety; erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure, or premises, in or upon any street, alley, sidewalk, park, parkway, or other public or private place in the City, the total of which materials exceeds 2 cubic yards in volume. This section shall include keeping or storing the equivalent amount of material in a trailer, pickup bed, or other portable container to include vehicles.

RMC 10.04.040(G) 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 10.04.040 (C) Trees overhanging sidewalk/street: All limbs of trees are required to be no less than eight feet above the surface of any public sidewalk, or 14 feet above the surface of any street.

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):**** Final Notice *******

Please mow and maintain the grass and weeds throughout the property including the backyard in accordance with the Richland Municipal Code.

Please remove the over 2 cubic yard of debris; including the trash, yard debris and wood in accordance with the Richland Municipal Code.

Please properly store household items, including the two seat recliner, in accordance with the Richland Municipal Code.

Please trim the tree(s) so the limbs do not hang lower than 8 feet over the sidewalk and do not hang lower than 14 feet over the roadway in accordance with the Richland Municipal Code.

Please make repairs to the white Vehicle with WA plate AGN0536 and show as operable under its own power or properly store in accordance with the Richland Municipal Code.

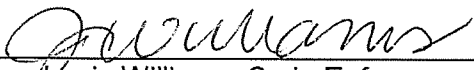
The corrective action(s) identified in this Correction Notice must be completed by December 9, 2019 no later than 5:00 p.m.

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 November 18, 2019 by the Code Enforcement Officer signing below.

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

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.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: Continued Cases/Old Business

Prepared By:

Subject:

Notice of Decision (case 20191129) executed on December 10, 2019 - Proposal to amend the decision to correct language in the notice.

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. Notice of Decision (executed 12-10-19)
2. Notice of Decision (proposed correction)



CITY OF RICHLAND – Code Enforcement Board
625 Swift Boulevard, Richland, WA 99352 • 509-942-7351

NOTICE OF DECISION

December 10, 2019

Sent Via Regular and Certified U.S. Mail

Sheila L Hibbard
416 Cottonwood Dr
Richland, WA 99352

RE: CASE NO. 20191129

This matter, having come before the City of Richland Code Enforcement Board for a hearing on December 10, 2019, the Board having reviewed the files and records herein and having heard the testimony offered, and being fully advised, NOW, THEREFORE, finds:

1. That a Notice of Civil Violation dated November 5, 2019 was delivered to the above-referenced responsible individual(s) charging violation(s) of Richland Municipal Code (RMC) 12.16.010 Keeping sidewalks and rights-of-way clean and maintained; for property owned or controlled by the responsible individual(s) at 416 Cottonwood Dr, in Richland, Washington.
 2. That the City properly notified the responsible individual(s) of the violations and asked that they be corrected.
 3. That the cited conditions are, by a preponderance of evidence, violations of the Richland Municipal Code.
- ☐ **Responsible individual(s) failed to appear at the hearing after proper notice was given. Default order is entered pursuant to 10.02.060(F).**

IT IS NOW, THEREFORE, ORDERED BY THE BOARD:

1. That you are required to correct the violation(s) by demonstrating that: Repair/replace the damaged sidewalk panels adjacent to the property as marked by the City, and clear the leaves, dirt, and debris from the sidewalks adjacent to the property as required in the **Notice of Civil Violation** dated July 9, 2019, in accordance with the Richland Municipal Code.
2. That you shall pay a monetary penalty of \$ 150⁰⁰.

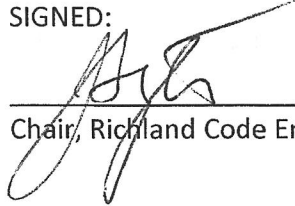
3. That beginning on JAN 12, 2020, an additional monetary penalty of \$ 50.00 per month will be assessed until the property is brought into compliance.
4. That JAN 12, 2020 at 5:00 p.m. is the date and time by which the remaining violation(s) must be corrected as identified in this Notice; otherwise the City is authorized to proceed with abatement of the unlawful conditions at owner's expense pursuant to RMC 10.02.070.

Monetary penalties and abatement costs which remain unpaid may result in a lien on the property. Interest shall accrue at the rate of 1% or \$10.00 (whichever is greater) per month and/or referral to a collection agency without further notice.

Pursuant to RMC 10.02.060(G), if you wish to appeal this decision, you must file an appeal with Benton County Superior Court no later than 5:00 p.m. on the fourteenth day following the date this notice is provided.

DATED on December 10, 2019.

SIGNED:



Chair, Richland Code Enforcement Board



CITY OF RICHLAND – Code Enforcement Board
625 Swift Boulevard, Richland, WA 99352 ▪ 509-942-7351

NOTICE OF DECISION

January 14, 2020

Sent Via Regular and Certified U.S. Mail

Sheila L Hibbard
416 Cottonwood Dr
Richland, WA 99352

RE: CASE NO. 20191129 AMENDED NOTICE OF DECISION

This matter, having come before the City of Richland Code Enforcement Board for a hearing on December 10, 2019, the Board having reviewed the files and records herein and having heard the testimony offered, and being fully advised, NOW, THEREFORE, finds:

1. That a Notice of Civil Violation dated November 5, 2019 was delivered to the above-referenced responsible individual(s) charging violation(s) of Richland Municipal Code (RMC) 12.16.010 Keeping sidewalks and rights-of-way clean and maintained; for property owned or controlled by the responsible individual(s) at 416 Cottonwood Dr, in Richland, Washington.
2. That the City properly notified the responsible individual(s) of the violations and asked that they be corrected.
3. That the cited conditions are, by a preponderance of evidence, violations of the Richland Municipal Code.

☐ **Responsible individual(s) failed to appear at the hearing after proper notice was given. Default order is entered pursuant to 10.02.060(F).**

IT IS NOW, THEREFORE, ORDERED BY THE BOARD:

1. That you are required to correct the violation(s) by demonstrating that: Repair/replace the damaged sidewalk panels adjacent to the property as marked by the City, and clear the leaves, dirt, and debris from the sidewalks adjacent to the property as required in the **Notice of Decision** dated July 9, 2019, in accordance with the Richland Municipal Code.
2. That you shall pay a monetary penalty of \$ 150.00.

3. That beginning on JAN 12, 2020, an additional monetary penalty of \$ 50.00 per month will be assessed until the property is brought into compliance.
4. That JAN 12, 2020 at 5:00 p.m. is the date and time by which the remaining violation(s) must be corrected as identified in this Notice; otherwise the City is authorized to proceed with abatement of the unlawful conditions at owner's expense pursuant to RMC 10.02.070.

Monetary penalties and abatement costs which remain unpaid may result in a lien on the property. Interest shall accrue at the rate of 1% or \$10.00 (whichever is greater) per month and/or referral to a collection agency without further notice.

Pursuant to RMC 10.02.060(G), if you wish to appeal this decision, you must file an appeal with Benton County Superior Court no later than 5:00 p.m. on the fourteenth day following the date this notice is provided.

DATED on January 14, 2020.

SIGNED:

Chair, Richland Code Enforcement Board



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 1/14/2020

Agenda Category: New Business/Liaison Comments

Prepared By:

Subject:

Vic Reeve (Coordinator) - Benton County Noxious Weed Control Board
Konrad Kauer (Inspector) - Benton County Noxious Weed Control Board
-Presentation regarding noxious weed management

Department:

Police Services

Recommended Motion:

Summary:

Attachments: