



Agenda
Code Enforcement Board Meeting
Tuesday, March 10, 2020
City Hall Council Chambers | 625 Swift Boulevard

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

Liaisons: Council Liaison Anderson
Staff Liaisons Sergeant Henry 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. **201901942 Mary Sichler**
Location of Violation: 410 Rossell Ave
Mailing Address: Same
Description of Violation: RMC 10.04.040(F) Over 2 cubic yards of debris, RMC 10.04.040(C) Trees
Overhanging sidewalk/street
Notice of Civil Violation Issued: February 13, 2020
2. **20200108 Matthew Manley**
Location of Violation: 1810 Talon Ct
Mailing Address: Same
Description of Violation: RMC 10.06.030 Storage of inoperable vehicle
Notice of Civil Violation Issued: February 19, 2020
3. **20191944 Pavel Parkhotyuk**
Location of Violation: 3519 Nottingham Dr
Mailing Address: Same
Description of Violation: RMC 10.06.030 Storage of inoperable vehicle
Notice of Civil Violation Issued: February 11, 2020
4. **20190553 Beneficial Reuse Solutions LLC - Sherry Hankins**
Location of Violation: 2990 Twin Bridges Road
Mailing Address: PO Box 20514, Juneau, AK 99802
Description of Violation: RMC 10.04.040(F) Over 2 cubic yards of debris, RMC 10.04.040(G) Vehicle parts,
ice chest, refrigerator, furniture, etc.
Notice of Civil Violation Issued: October 23, 2019
5. **20191955 Randall T and Cheryl A Hallum Trustee**
Location of Violation: 300 Lakeview Ct
Mailing Address: Same
Description of Violation: RMC 10.04.040(C) Trees overhanging sidewalk/street, RMC 10.04.040(N)
Blocking fire hydrant, utility pole, etc., RMC 10.04.040(R) Objects that interfere with or obstruct sidewalk
Notice of Civil Violation Issued: February 19, 2020

6. 20191760 Luke Nilsen

Location of Violation: 1323 Cedar Ave

Mailing Address: Same

Description of Violation: RMC 10.04.040(G) Vehicle parts, ice chest, refrigerator, furniture, etc., RMC 10.04.030(C) Public nuisance affecting health, RMC 10.06.030 Storage of inoperable vehicle

Notice of Civil Violation Issued: February 20, 2020

Execution of Orders:

Continued Cases/Old Business:

New Business/Liaison Comments:

Adjournment

The next Code Enforcement Board Meeting is April 14, 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: 3/10/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

201901942 Mary Sichler

Location of Violation: 410 Rossell Ave

Mailing Address: Same

Description of Violation: RMC 10.04.040(F) Over 2 cubic yards of debris, RMC 10.04.040(C) Trees Overhanging sidewalk/street

Notice of Civil Violation Issued: February 13, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 6233011-NOCV 410 Rossell Ave 02.12.2020



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

NOTICE OF CIVIL VIOLATION

February 12, 2020

Mary Sichler
410 Rossell Ave
Richland, WA 99352

Case Number: 20191942

An inspection on February 12, 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):

410 Rossell Ave
Richland WA 99352

Description of Violation(s):

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 10.04.040 (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

Required Corrective Action(s):

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.

Remove the over 2+ Cubic Yards of Debris including the plastic bags, tree limbs, boxes milk cartons, laundry basket, bottles and trash etc in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 8, 2020 no later than 5:00 p.m.

You received notice dated January 21, 2020 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: March 10, 2020

Time: 7:00 PM

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

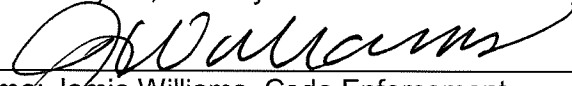
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 February 12, 2020 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

January 21, 2020

Location: 410 Rossell Ave, Richland WA 99352

Report: 20191942

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):

**** FINAL NOTICE ****

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 (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.

Required Corrective Action(s):

Please remove the over 2 cubic yards of debris, including the plastic bags, tree limbs, boxes, milk cartons, laundry basket, bottles and trash, etc 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.

The corrective action(s) identified in this Correction Notice must be completed by February 11, 2020 no later than 5:00 p.m.

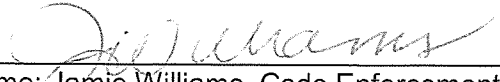
Failure to remedy the violation(s) identified in this Correction Notice will result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board. At the hearing, the Code Enforcement Board will hear the evidence presented and determine whether one 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 21, 2020 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: 3/10/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20200108 Matthew Manley

Location of Violation: 1810 Talon Ct

Mailing Address: Same

Description of Violation: RMC 10.06.030 Storage of inoperable vehicle

Notice of Civil Violation Issued: February 19, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 6258452-1810 Talon Ct Repeat NOCV 02.19.2020



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

NOTICE OF REPEAT CIVIL VIOLATION

February 19, 2020

Matthew L Manley
1810 Talon Ct
Richland, WA 99352

Case Number: 20200108

An inspection on February 18, 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):

1810 Talon Ct, Richland WA 99352

Description of Violation(s):

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):

Make the necessary repairs to the Chevy Suburban with WA plate ACL7556 and demonstrate it to be operable under it's own power, or properly store in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 8, 2020 no later than 5:00 p.m.

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

20181916 opened on 12/ 20/2018 at 1810 Talon Ct, Richland WA 99352 for RMC 10.06.030

20190722 opened on 05/16/2019 at 1810 Talon Ct, Richland WA 99352 for RMC 10.06.030

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: March 10, 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. Repeat violations result in a doubled daily monetary amount. A penalty up to \$500 per violation per day may be imposed.

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

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

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

Issued on this February 19, 2020 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

May 21, 2019

Location: 1810 Talon Ct, Richland WA 99352

Report: 20190722

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 10.06.030 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.

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

Required Corrective Action(s):

Please make the necessary repairs to the Chevy Suburban with Washington plate ACL7556 and demonstrate it to be operable under its own power or store it in accordance with the Richland Municipal Code. Please also store the boat with no visible license plate in accordance with the RMC.

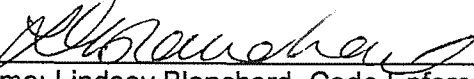
The corrective action(s) identified in this Correction Notice must be completed by June 4, 2019 no later than 5:00 p.m.

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 May 21, 2019 by the Code Enforcement Officer signing below.

Signature: 
Printed Name: Lindsey Blanchard, 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.



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

CORRECTION NOTICE

December 27, 2018

Location: 1810 Talon Ct, Richland, WA 99352

Report: 20181916

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 10.06.030 – 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):

Make the necessary repairs to and demonstrate the black Chevy Suburban with WA plate ACL7556 is operable under its own power or store in accordance with the Richland Municipal Code.

The corrective action(s) identified in this Correction Notice must be completed by January 13, 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 December 27, 2018 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.
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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: 3/10/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191944 Pavel Parkhotyuk

Location of Violation: 3519 Nottingham Dr

Mailing Address: Same

Description of Violation: RMC 10.06.030 Storage of inoperable vehicle

Notice of Civil Violation Issued: February 11, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 6226136-3519 Nottingham NOCV 02-11-20



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

NOTICE OF CIVIL VIOLATION

February 11, 2020

Pavel Parkhotyuk
3519 Nottingham Dr
Richland, WA 99352

Case Number: 20191944

An inspection on February 11, 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):

3519 Nottingham Dr, Richland, WA 99352

Description of Violation(s):

RMC 10.06.030 – It is unlawful for any person, or corporation, to place or keep an inoperable motorized vehicle or junk vehicle, or portion thereof, upon any private or public property within the city of Richland or as owner, occupant, or party in control of any real property within the city to permit or allow any such automobile or portion thereof to be placed or kept upon such property unless the vehicle or part thereof is completely enclosed within a building or behind a 100 percent sight-obscuring fence, in a manner where it is not visible from the street or other public or private property. Visibility of the vehicle shall mean as viewed from street level as determined by the street in front of the subject property.

Required Corrective Action(s):

Demonstrate the grey Toyota Camry with Washington plate 307YSW to be operable under its own power or store it in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 8, 2020 no later than 5:00 p.m.

You received notice dated January 6, 2020 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: March 10, 2020

Time: 7:00 PM

Please make the necessary arrangements if you need a language interpreter

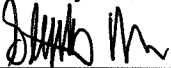
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 February 11, 2020 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

January 6, 2020

Location: 3519 Nottingham Dr, Richland WA 99352

Report: 20191944

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 10.06.030 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.

Required Corrective Action(s):

Final notice - make the necessary repairs to the gray Toyota Camry with Washington plate 307YSW and demonstrate it to be operable under its own power or store it in accordance with the Richland Municipal Code. If compliance is not met by the date listed below this case will be referred to the Code Enforcement Board.

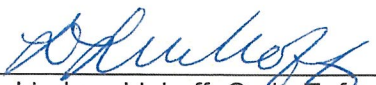
The corrective action(s) identified in this Correction Notice must be completed by January 27, 2020 no later than 5:00 p.m.

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 6, 2020 by the Code Enforcement Officer signing below.

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

Attachment – Process Letter

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

Process Letter

To Whom it May Concern:

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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:

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 - 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: 3/10/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20190553 Beneficial Reuse Solutions LLC - Sherry Hankins

Location of Violation: 2990 Twin Bridges Road

Mailing Address: PO Box 20514, Juneau, AK 99802

Description of Violation: RMC 10.04.040(F) Over 2 cubic yards of debris, RMC 10.04.040(G) Vehicle parts, ice chest, refrigerator, furniture, etc.

Notice of Civil Violation Issued: October 23, 2019

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 5944452-2990 Twin Bridges NOCV 12-03-19



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

NOTICE OF CIVIL VIOLATION

December 3, 2019

Beneficial Refuse Solutions, LLC and Sherrey Hankins
PO Box 20514
Juneau, AK 99802

Case Number: 20190553

An inspection on October 23, 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):

2990 Twin Bridges Rd, Richland, WA 99354

Description of Violation(s):

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, 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) – 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.

Required Corrective Action(s):

Remove all tires and debris from the property and dispose of in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 8, 2020 no later than 5:00 p.m.

You received notice dated July 24, 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: March 10, 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 3, 2019 by the Code Enforcement Officer signing below.

Signature: 

Printed Name: Stephanie Dorko, Code Enforcement

Phone: (509) 942-7644

Attachment – Voluntary Correction Notice

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

CORRECTION NOTICE

July 24, 2019

Location: 2990 Twin Bridges Rd, Richland, WA 99354

Report: 20190553

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(F) – 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.

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Required Corrective Action(s):

*** FINAL NOTICE *** Remove all tires and debris from the property and dispose of in accordance with the Richland Municipal Code.

** If compliance is not met by the below date and no effort is made to contact the Code Officer below, the case will be referred to the Code Enforcement Board.

The corrective action(s) identified in this Correction Notice must be completed by August 16, 2019 no later than 5:00 p.m.

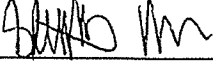
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To avoid receiving a Notice of Civil Violation, please take the corrective action identified in this

Correction Notice by the date specified. If you have questions or need more information, please contact the Code Enforcement Officer listed below.

Issued on July 24, 2019 by the Code Enforcement Officer signing below.

Signature: 

Printed Name: Stephanie Dorko, Code Enforcement

Phone: (509) 942-7644

Attachment – Process Letter

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

Process Letter

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 - 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.
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CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 3/10/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191955 Randall T and Cheryl A Hallum Trustee

Location of Violation: 300 Lakeview Ct

Mailing Address: Same

Description of Violation: RMC 10.04.040(C) Trees overhanging sidewalk/street, RMC 10.04.040(N) Blocking fire hydrant, utility pole, etc., RMC 10.04.040(R) Objects that interfere with or obstruct sidewalk

Notice of Civil Violation Issued: February 19, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 6257641-300 Lakeview NOCV 02-19-2020



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

NOTICE OF CIVIL VIOLATION

February 19, 2020

Randall & Cheryl Halum Trustee
300 Lakeview Ct
Richland, WA 99352

Case Number: 20191955

An inspection on February 19, 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):

300 Lakeview Ct, Richland, WA 99352

Description of Violation(s):

RMC 10.04.040(C) – All limbs of trees which are 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 this section include but are not limited to basketball hoop standards, street hockey goals and nonoperational or abandoned vehicles, or parts thereof, or other articles of personal property, which are discarded or left in a state of partial repair.

Required Corrective Action(s):

Trim the trees overhanging Greenbrook Blvd so they do not hang less than 8 feet over the surface of the sidewalk and 14 feet over the surface of the roadway. Trim the shrubs along the Greenbrook Blvd sidewalk so the walkway is 100% clear from obstruction.

The corrective action(s) identified in this notice must be completed by March 8, 2020 no later than 5:00 p.m.

You received notice dated January 23, 2020 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: March 10, 2020

Time: 7:00 PM

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

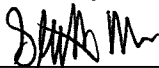
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 February 19, 2020 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

January 23, 2020

Location: 300 Lakeview Court, Richland WA 99352

Report: 20191955

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 (N) The existence of any vine, shrub, or plant growing on, around, or in front of any fire hydrant, utility pole, utility box, or any other appliance or facility provided for fire protection, public, or private utility purposes in such a way as to obscure from view or impair access thereto

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):

Final notice

- Clear the area around the fire hydrant along the Greenbrook Blvd curb line so there is at least 3 feet of clearance in all directions
- Trim the shrubs along the Greenbrook Blvd sidewalk so the walkway is 100% clear from obstruction
- Trim the limbs of the trees along Greenbrook Blvd so they do not hang less than 8 feet above the surface of the sidewalk or 14 feet above the surface of the roadway
- If compliance is not met by the date listed below, this case may be referred to the Code Enforcement Board

The corrective action(s) identified in this Correction Notice must be completed by February 13, 2020 no later than 5:00 p.m.

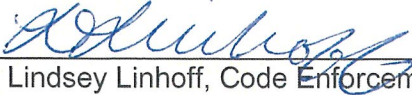
Failure to remedy the violation(s) identified in this Correction Notice will result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board. At the hearing, the Code Enforcement Board will hear the evidence presented and determine whether one 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 23, 2020 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: 3/10/2020

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

20191760 Luke Nilsen

Location of Violation: 1323 Cedar Ave

Mailing Address: Same

Description of Violation: RMC 10.04.040(G) Vehicle parts, ice chest, refrigerator, furniture, etc., RMC 10.04.030(C) Public nuisance affecting health, RMC 10.06.030 Storage of inoperable vehicle

Notice of Civil Violation Issued: February 20, 2020

Department:

Police Services

Recommended Motion:

Summary:

Attachments:

1. 6264084-1323 Cedar NOCV 02-20-2020



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

NOTICE OF CIVIL VIOLATION

February 20, 2020

Luke Nilsen
1323 Cedar Ave
Richland, WA 99354

Case Number: 20191760

An inspection on February 20, 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):

1323 Cedar Ave, Richland, WA 99354

Description of Violation(s):

RMC 10.06.030 – It is unlawful for any person, or corporation, to place or keep an inoperable motorized vehicle or junk vehicle, or portion thereof, upon any private or public property within the city of Richland or as owner, occupant, or party in control of any real property within the city to permit or allow any such automobile or portion thereof to be placed or kept upon such property unless the vehicle or part thereof is completely enclosed within a building or behind a 100 percent sight-obscuring fence, in a manner where it is not visible from the street or other public or private property. Visibility of the vehicle shall mean as viewed from street level as determined by the street in front of the subject property.

Required Corrective Action(s):

Make the necessary repairs to and demonstrate the white sedan in the back yard along the north property line is operable under its own power or store in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 8, 2020 no later than 5:00 p.m.

You received notice dated January 28, 2020 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: March 10, 2020

Time: 7:00 PM

Please make the necessary arrangements if you need a language interpreter

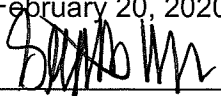
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 February 20, 2020 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

January 28, 2020

Location: 1323 Cedar Ave, Richland, WA 99354

Report: 20191760

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 10.04.030(C) – Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health, safety, welfare or comfort of others;

RMC 10.06.030 – 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):

Remove all animal waste from the back yard and dispose of in accordance with the Richland Municipal Code. Demonstrate the white sedan located in the back yard along the north property line is operable under its own power or store in accordance with the Richland Municipal Code.

** If compliance is not met by the below date, the case will be referred to the code enforcement board. **

The corrective action(s) identified in this Correction Notice must be completed by February 18, 2020 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 28, 2020 by the Code Enforcement Officer signing below.

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

Attachment – Process Letter

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

Process Letter

To Whom it May Concern:

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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).
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 - 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.
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