



MINUTES

Code Enforcement Board Meeting

Remotely Via Zoom

Tuesday, December 8, 2020 ~ 7:00 p.m.

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

CALL TO ORDER

Chairman **Levy** called the meeting to order at 7:02 p.m.

ROLL CALL

MEMBERS PRESENT:

Gregery Levy, Chairman
Skye White, Vice Chairman
Joe Guyette, Member
Derenda Bialy, Member
Raymond Swenson, Member

ALSO IN ATTENDANCE:

Sergeant Shawn Swanson
Stephanie Dorko, Code Enforcement Officer
Jamie Williams, Code Enforcement Officer
Lindsey Linhoff, Code Enforcement Officer
Bunnie Avery, Staff Liaison
Marianne Boring, Council Liaison
Thomas Zemanian
Timothy Pace

APPROVAL OF AGENDA

Vice Chairman **White** made a motion to approve the meeting agenda for December 8, 2020, as presented. Member **Guyette** seconded the motion. The motion carried 5-0.

APPROVAL OF MINUTES

Member **Guyette** made a motion to approve the minutes of the November 10, 2020 meeting of the Code Enforcement Board with corrections to the spelling of Officer Linhoff's first name. Vice Chairman **White** seconded the motion. The motion carried 5-0.

COMPLIANCE HEARINGS / ADMINISTRATION OF OATHS

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

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|-----------|-----------------------------------|---|
| 1) | 2021425 | Nicklos & Angela Mohr |
| | Location of Violations: | 1754 Bismark Street, Richland, WA 99354 |
| | Mailing Address: | Same |
| | Description of Violations: | RMC 11.33.020 Trailer Storage |
| | Notice of Civil Violation Issued: | November 23, 2020 |

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. & Ms. Mohr were not present.

RECOMMENDATION: Compliance has been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$200 for the issuance of the Notice of Civil Violation (Exhibit 1) with no further corrective action.

CODE BOARD DECISION: Vice Chairman **White** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$200** with no further corrective action since compliance has been met. Member **Guyette** seconded the motion. The motion carried 5-0.

2) 20200668 Thomas Zemanian
 Location of Violations: 1501 Hains Avenue, Richland, WA 99354
 Mailing Address: Same
 Description of Violations: **RMC 10.04.040(Q)** Dead/Dying Trees
 Notice of Civil Violation Issued: November 18, 2020

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Zemanian presented his case and answered questions from the Code Enforcement Board.

RECOMMENDATION: Compliance has not been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$150 for the issuance of the Notice of Civil Violation (Exhibit 1) with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove all dying and dead trees from the property and dispose of in accordance with the Richland Municipal Code. If correction of the violation has not occurred by January 10, 2021, the city may proceed with abatement.

CODE BOARD DECISION: Member **Guyette** motioned to find the respondent in violation of the Richland Municipal Code as cited in the Notice of Civil Violation. Vice Chair **White** seconded the motion. The motion carried 5-0.

Vice Chair **White** motioned to assess a monetary penalty in the amount of **\$100** for the Notice of Civil Violation with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove all dying and dead trees from the property and dispose of in accordance with the Richland Municipal Code. If correction of the violation has not occurred by January 10, 2021, the city may proceed with abatement. Monetary penalty shall be held in abeyance until January 10, 2021, to provide Mr. Zemanian additional time to have the trees removed. Member **Guyette** seconded the motion. The motion carried 5-0.

3) 20200767 Live Victoriously Ministries – Linda Alexander
 Location of Violations: 1344 Thayer Drive, Richland, WA 99354
 Mailing Address: 1426 Thayer Drive, Richland, WA 99354
 Description of Violations: **RMC 10.04.030(A)** Noxious Odor;
RMC 10.04.030(C) Accumulation of Garbage;
RMC 10.04.040(F) 2+ Yards of Debris;
RMC 10.04.040(P) Grass and Weeds;
RMC 10.04.040(Q) Dead/Dying Trees;
RMC 12.16.010 Maintaining Sidewalks and Right-of-ways;
RMC 10.06.030 Storage of an Inoperable Vehicle;
RMC 21.01.010(i) Closing of Vacant Structures
 Notice of Civil Violation Issued: November 18, 2020

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

RECOMMENDATION Compliance has not been met. Code Enforcement staff requests that the Code Enforcement Board enters a default judgement and recommends assessment of a monetary penalty of

\$500 for issuance of the Notice of Civil Violation (Exhibit 1) with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove and dispose of all burnt residue on the property to reduce the noxious odor of smoke and ash and prevent smells from spreading to neighboring properties. Remove all burnt vegetation, garbage, household items and anything damaged by the fire that is outside the structure and dispose of in accordance with the Richland Municipal Code. Remove all trash, garbage and waste that has fallen outside the confines of the structure/house and dispose of in accordance with the Richland Municipal Code. Mow the entire property so grasses and weeds do not exceed 5 inches in height and remove all noxious weeds including tack weed. Remove the vegetation overhanging and growing through the cracks of the sidewalk so the sidewalk is 100% clear from obstruction. Make the necessary repairs to and demonstrate the white Cadillac EDL with WA plate 292VXX and the gray Chevrolet Celebrity with WA plate 911YLT are operable under their own power or stored in accordance with the Richland Municipal Code. Secure the exterior of the damaged structure on the property by boarding closed all windows, doors, as well as the hole in the roof to prevent entry and further damage in accordance with the Richland Municipal Code. If correction of the violations has not occurred by January 10, 2021, the city may proceed with abatement.

CODE BOARD DECISION: Vice Chair **White** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$500** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove and dispose of all burnt residue on the property to reduce the noxious odor of smoke and ash and prevent smells from spreading to neighboring properties. Remove all burnt vegetation, garbage, household items and anything damaged by the fire that is outside the structure and dispose of in accordance with the Richland Municipal Code. Remove all trash, garbage and waste that has fallen outside the confines of the structure/house and dispose of in accordance with the Richland Municipal Code. Mow the entire property so grasses and weeds do not exceed 5 inches in height and remove all noxious weeds including tack weed. Remove the vegetation overhanging and growing through the cracks of the sidewalk so the sidewalk is 100% clear from obstruction. Make the necessary repairs to and demonstrate the white Cadillac EDL with WA plate 292VXX and the gray Chevrolet Celebrity with WA plate 911YLT are operable under their own power or stored in accordance with the Richland Municipal Code. Secure the exterior of the damaged structure on the property by boarding closed all windows, doors, as well as the hole in the roof to prevent entry and further damage in accordance with the Richland Municipal Code. If correction of the violations has not occurred by January 10, 2021, the city may proceed with abatement. Member **Swenson** seconded the motion. The motion carried 5-0.

4)	20200720	Judith Burnett
	Location of Violations:	2081 Hoxie Avenue, Richland, WA 99354
	Mailing Address:	Same
	Description of Violations:	RMC 10.04.040(F) 2+ Yards Debris
	Notice of Civil Violation Issued:	November 17, 2020

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

RECOMMENDATION: Compliance has been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$50 for the issuance of the Notice of Civil Violation (Exhibit 1) with no further corrective action.

CODE BOARD DECISION: Member **Guyette** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$50** with no further corrective action since compliance has been met. Member **Swenson** seconded the motion. The motion carried 5-0.

- 5) **20200103** **Priscilla Botu**
 Location of Violations: 1404 Farrell Lane, Richland, WA 99354
 Mailing Address: Same
 Description of Violations: **RMC 10.04.040(Q)** Dead/Dying Trees;
 RMC 10.04.040(G) Household items;
 RMC 10.06.030 Storage of an Inoperable Vehicle
 Notice of Civil Violation Issued: November 23, 2020

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

RECOMMENDATION: Compliance has not been met. Code Enforcement staff requests that the Code Enforcement Board enters a default judgement and recommends assessment of a monetary penalty of \$250 for issuance of the Notice of Civil Violation (Exhibit 1) with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove all household items from the driveway and store or dispose of in accordance with the Richland Municipal Code. Remove and dispose of the 5 dead and dying trees in the front yard in accordance with the Richland Municipal Code. Demonstrate the gold Oldsmobile Cutlas with WA plate AFH7695 is operable under its own power or store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by January 10, 2021, the city may proceed with abatement.

CODE BOARD DECISION: Member **Swenson** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$250** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove all household items from the driveway and store or dispose of in accordance with the Richland Municipal Code. Remove and dispose of the 5 dead and dying trees in the front yard in accordance with the Richland Municipal Code. Demonstrate the gold Oldsmobile Cutlas with WA plate AFH7659 is operable under its own power or store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by January 10, 2021, the city may proceed with abatement. Member **Guyette** offered a friendly amendment to the motion to correct the WA plate number to AFH7695 and seconded the motion. The motion carried 5-0.

- 6) **20201457** **Claude & Leda Brown**
 Location of Violations: 1604 McPherson Avenue, Richland, WA 99354
 Mailing Address: 1776 Boston Street, Richland, WA 993354
 Description of Violations: **RMC 10.04.040(G)** Household items
 Notice of Civil Violation Issued: November 23, 2020

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Brown was not present.

RECOMMENDATION: Compliance has not been met. Code Enforcement staff requests that the Code Enforcement Board enters a default judgement and recommends assessment of a monetary penalty of \$200 for issuance of the Notice of Civil Violation (Exhibit 1) with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met the household items must be stored indoors or out of view of the public in accordance with the Richland Municipal Code. If correction of the violation has not occurred by January 10, 2021, the city may proceed with abatement.

CODE BOARD DECISION: Member **Swenson** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$200** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met the household items must be stored indoors or out of view of the public in accordance with the Richland Municipal Code. If correction of the violation has not occurred by January 10, 2021, the city may proceed with abatement. Member **Guyette** seconded the motion. The motion carried 5-0.

Derenda Bialy

DERENDA BIALY, Member

Raymond Swenson

RAYMOND SWENSON, Member

Joe Guyette

JOE GUYETTE, Member

ATTEST:

Shawn Swanson

Shawn Swanson, Sergeant