



MINUTES

Code Enforcement Board Meeting

Remotely Via Zoom

Tuesday, November 10, 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 7:01 p.m.

ROLL CALL

MEMBERS PRESENT:

Gregory 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
Eric Mast

APPROVAL OF AGENDA

Vice Chairman **White** made a motion to approve the meeting agenda for November 10, 2020, as presented. Member **Guyette** seconded the motion. The motion carried 4-0.

APPROVAL OF MINUTES

Member **Guyette** made a motion to approve the minutes of the October 13, 2020 meeting of the Code Enforcement Board. Vice Chairman **White** seconded the motion. The motion carried 4-0.

Member **Swenson** made a motion to correct the date of the minutes previously approved to October 13, 2020. 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.

- | | | |
|-----------|-----------------------------------|--|
| 1) | 20201282 | Marilyn Rommel-Frost |
| | Location of Violations: | 100 Block Armistead, Richland, WA 99352 |
| | Mailing Address: | 2021 Mahan Avenue J7, Richland, WA 99354 |
| | Description of Violations: | RMC 11.33.020 Trailer Storage |
| | Notice of Civil Violation Issued: | October 26, 2020 |

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Ms. Rommel-Frost was not present and understood that a default penalty would be assessed.

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: 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 **\$50** with no further corrective action since compliance has been met. Member **Guyette** seconded the motion. The motion carried 4-0.

- 2) **20201291** **Eric S. Mast**
 Location of Violations: 634 Chestnut Avenue, Richland, WA 99354
 Mailing Address: Same
 Description of Violations: **RMC 11.33.020** Trailer Storage
 Notice of Civil Violation Issued: October 26, 2020

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Mast presented his case and answered questions from the Code Enforcement Board.

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

Member Swenson joined the meeting at 7:22 p.m.

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

Member **Guyette** motioned to assess a monetary penalty in the amount of **\$200** for the Notice of Civil Violation with no further corrective action since compliance has been met. Member **Bialy** seconded the motion. Motion carried 5-0.

- 3) **20200792** **Eugene & Bethany Lamm**
 Location of Violations: 807 Snow Avenue, Richland, WA 99352
 Mailing Address: Same
 Description of Violations: **RMC 10.06.030** Storage of inoperable vehicle
 Notice of Civil Violation Issued: October 26, 2020

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. & Ms. Lamm were 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: 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 **\$50** with no further corrective action since compliance has been met. Member **Guyette** seconded the motion. The motion carried 5-0.

- 4) **20201062** **McCall Oil & Chemical Co**
 Location of Violations: 1021 Wright Avenue, Richland, WA 99354
 Mailing Address: 5480 NW Front Avenue, Portland, OR 97210
 Description of Violations: **RMC 10.04.040(P)** Grass and weeds
 Notice of Civil Violation Issued: October 26, 2020

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. A representative of McCall Oil & Chemical 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 \$150 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 mow grass and weeds on the property at 1021 Wright Avenue in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 7, 2020, the city may proceed with abatement.

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 **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met mow grass and weeds on the property at 1021 Wright Avenue in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 7, 2020, the city may proceed with abatement. Member **Swenson** seconded the motion. The motion carried 5-0.

5) 20200771 Claude Brown
 Location of Violations: 1218 Willard Avenue, Richland, WA 99354
 Mailing Address: 1776 Boston Street, Richland, WA 99354
 Description of Violations: **RMC 10.04.040(F)** 2+ yards of debris;
 RMC 10.04.040(G) Household items
 Notice of Civil Violation Issued: October 27, 2020

CASE REPORT: Jamie Williams, 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 remove the over 2 cubic yards of debris on the property and within the beds of the trailers from the property and properly store all the household items and vehicle parts, including tires and furniture in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 7, 2020, the city may proceed with abatement.

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 **\$200** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove the over 2 cubic yards of debris on the property and within the beds of the trailers from the property and properly store all the household items and vehicle parts, including tires and furniture in accordance with the Richland Municipal Code. Vice Chairman **White** seconded the motion.

Member Guyette amended the motion to include that if correction of the violation has not occurred by December 7, 2020, the city may proceed with abatement. Vice Chairman **White** seconded the amended motion. The motion carried 5-0.

6) 20200623 Aissata Sidibe
 Location of Violations: 1501/1503 Thayer Drive, Richland, WA 99354
 Mailing Address: 99302 E Sidibe PR SE, Kennewick, WA 99338
 Description of Violations: **RMC 10.04.040(G)** Household items;
 RMC 10.04.040(F) 2+ yards of debris;
 RMC 10.06.030 Storage of an inoperable vehicle;
 RMC 12.16.010 Maintaining sidewalks and rights-of-ways
 Notice of Civil Violation Issued: October 27, 2020

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Sidibe 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 \$300 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 and trash and store or dispose of in accordance with the Richland Municipal Code. Demonstrate that the blue Cadillac Deville with WA plate 104RZA is operable under its own power or store in accordance with the Richland Municipal Code. Clear the vegetation, wood, and other obstructions from the sidewalk along Thayer Drive and Symons Street so the sidewalk is 100% clear from obstruction in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 7, 2020, the city may proceed with abatement.

CODE BOARD DECISION: Member **Bialy** motioned to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$300** with a continuing monthly penalty of \$100 until compliance is met.

Member **Guyette** proposed to amend the motion to add for compliance to be met demonstrate that the blue Cadillac Deville with WA plate 104RZA is operable under its own power or store in accordance with the Richland Municipal Code. Clear the vegetation, wood, and other obstructions from the sidewalk along Thayer Drive and Symons Street so the sidewalk is 100% clear from obstruction in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 6, 2020, the city may proceed with abatement. Member **Swenson** seconded the motion as amended. Member White noted that the first corrective action was left out in the amended motion. Motion failed 0-5.

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 **\$300** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met remove all household items and trash and store or dispose of in accordance with the Richland Municipal Code. Demonstrate that the blue Cadillac Deville with WA plate 104RZA is operable under its own power or store in accordance with the Richland Municipal Code. Clear the vegetation, wood, and other obstructions from the sidewalk along Thayer Drive and Symons Street so the sidewalk is 100% clear from obstruction in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 6, 2020, the city may proceed with abatement. Vice Chairman **White** seconded the motion. Motion carried 5-0.

7)	20200523	Bryan Stone
	Location of Violations:	2342 Davison Avenue, Richland, WA 99354
	Mailing Address:	1401 E Navajo Drive #3150, Hobbs, NM 88240
	Description of Violations:	RMC 10.04.040(P) Grass and weeds
	Notice of Civil Violation Issued:	October 27, 2020

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Stone 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 \$150 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 mow the entire property so grasses and weeds do not exceed 6 inches in height in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 6, 2020, the city may proceed with abatement.

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 **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met mow the entire property so grasses and weeds do not exceed 6 inches in height in accordance with the Richland Municipal Code. If

correction of the violation has not occurred by December 6, 2020, the city may proceed with abatement. Member **Swenson** seconded the motion. The motion carried 5-0.

- 8) 20200941 David & Joy Soyster**
 Location of Violations: 200/202 Cullum Avenue, Richland, WA 99352
 Mailing Address: 1825 NE Marine Dr Slip A7, Portland, OR 97230
 Description of Violations: **RMC 12.16.010** Maintaining sidewalks and right-of-ways
 Notice of Civil Violation Issued: October 28, 2020

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. & Ms. Soyster were 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 \$150 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 clear the sidewalks around the property so that they are 100% clear in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 7, 2020, 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 **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met mow the entire property so grasses and weeds do not exceed 6 inches in height in accordance with the Richland Municipal Code. Member Guyette seconded the motion.

Member Guyette moved to make a substitute motion to enter a default order affirming the violation identified in the City's Notice of Civil Violation, imposing a monetary penalty of **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met mow the entire property so grasses and weeds do not exceed 6 inches in height in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 6, 2020, the city may proceed with abatement. Member **Swenson** seconded the motion. The motion carried 5-0.

EXECUTION OF ORDERS:

Chairman **Levy** will sign the orders this coming week in person.

CONTINUED CASES / OLD BUSINESS:

- 1) 20200318 Kelly Teverbaugh-Norman**
 Location of Violations: 1617 Marshall Avenue, Richland, WA 99354
 Mailing Address: Same
 Description of Violations: **RMC 10.04.040(G)** 2+ yards debris;
RMC 10.04.040(F) Household items;
RMC 10.06.030 Storage of an inoperable vehicle
 Notice of Civil Violation Issued: October 27, 2020

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Ms. Teverbaugh-Norman 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 and vehicle parts from the front and yards and store or dispose of in accordance with the Richland Municipal Code. Remove the over 2 cubic yards of debris from broken equipment, trash, cardboard boxes, and wood and dispose of in accordance with the Richland Municipal Code. And demonstrate that the silver Subaru Legacy with WA plate BIP0712

is operable under its own power or store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 6, 2020, 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 **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be remove all household items and vehicle parts from the front and yards and store or dispose of in accordance with the Richland Municipal Code. Remove the over 2 cubic yards of debris from broken equipment, trash, cardboard boxes, and wood and dispose of in accordance with the Richland Municipal Code. And demonstrate that the silver Subaru Legacy with WA plate BIP0712 is operable under its own power or store in accordance with the Richland Municipal Code. If correction of the violation has not occurred by December 6, 2020, the city may proceed with abatement. Member **Guyette** seconded the motion. The motion carried 5-0.

- 2) **20200553** **Sherrey Hankins**
 Location of Violations: 2990 Twin Bridges Road, Richland, WA 99352
 Mailing Address: PO Box 20514, Juneau, AK 99802
 Description of Violations: **RMC 10.04.040(G)** 2+ yards debris;
 RMC 10.04.040(F) Household items;
 Notice of Civil Violation Issued: December 3, 2019

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

RECOMMENDATION: Compliance has not been met. Code Enforcement staff requests that the Code Enforcement Board enters a default judgement and recommends dismissal of this case with no further penalties. The property owner is actively working with City Business Licensing and the State of Washington to clear the property and enforcement from Code Enforcement is unnecessary and redundant.

CODE BOARD DECISION: Vice Chairman **White** motioned to dismiss Case #20200553 Sherrey Hankins 2990 Twin Bridges Road, Richland, WA 99352. No further action is necessary. Member **Swenson** seconded the motion. The motion carried 4-1.

- 3) Sergeant Swanson advised that the proposal brought forward by Captain Henry at the previous meeting has been placed on hold for the time being.

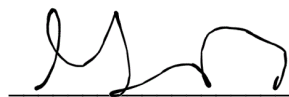
NEW / OTHER BUSINESS:

- 1) Council Member Boring thanked everyone that participates in Code Enforcement for the City of Richland. She advised that as a resident and business owner she truly appreciates the work they do.
- 2) Member **Swenson** asked if it's possible to place a lien on properties for the larger fines. Code Officer Linhoff advised that historically the City Attorney has been opposed to doing so.

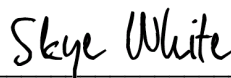
ADJOURNMENT:

Chairman **Levy** adjourned the meeting at 8:32 p.m.

APPROVED this 8th day of December 2020.



GREGERY LEVY, Chairman



SKYE WHITE, Vice-Chairman

Derenda Bialy

DERENDA BIALY, Member

Raymond Swenson

RAYMOND SWENSON, Member

Joe Guyette

JOE GUYETTE, Member

ATTEST:

Shawn Swanson

Shawn Swanson, Sergeant