



MINUTES

Code Enforcement Board Meeting
Remotely Via Zoom
Tuesday, May 11, 2021 ~ 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 Chair
Derenda Bialy, Member
Albert Edmondson, Member
Ragan Faylor, Member

ALSO IN ATTENDANCE:

Sergeant Shawn Swanson
Stephanie Dorko, Code Enforcement Officer
Lindsey Linhoff, Code Enforcement Officer
Marianne Boring, Council Liaison
Justin Pratt
Megan Pratt

APPROVAL OF AGENDA

Member **Bialy** made a motion to approve the meeting agenda for May 11, 2021, as presented. Vice Chair **White** seconded the motion. The motion carried 5-0.

APPROVAL OF MINUTES

Member **Bialy** made a motion to approve the minutes of the April 13, 2021 meeting of the Code Enforcement Board as presented. Vice Chair **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) **20210289** **Justin and Megan Pratt**
Location of Violations: 109 Oakmont Court, Richland, WA 99352
Mailing Address: Same
Description of Violations: **RMC 10.04.040(G)** Vehicle Parts; **RMC 10.06.030** Storage of an
Inoperable Vehicle
Notice of Civil Violation Issued: April 21, 2021

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. and Mrs. Pratt presented their 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 \$250 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 repair and demonstrate the green Dodge Caravan with WA plate ABP8038 is operable under its own power in accordance with the Richland Municipal Code. If correction of the violation has not occurred by June 6 2021, the city may proceed with abatement.

CODE BOARD DECISION: Member **Bialy** moved that the Board find that the City has failed to meet its burden of proof, and that the respondent is not in violation of the Richland Municipal Code as cited in the City's Notice of Civil Violation. No second to the motion. Motion failed.

Vice Chair **White** motioned to find the respondent in violation of the Richland Municipal Code as cited in the Notice of Civil Violation. Member **Edmondson** seconded the motion. The motion carried 3-2.

Vice Chair **White** motioned to impose a monetary penalty in the amount of **\$250** for the Notice of Civil Violation with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met repair and demonstrate the green Dodge Caravan with WA plate ABP8038 is operable under its own power in accordance with the Richland Municipal Code. If correction of the violation has not occurred by June 6 2021, the city may proceed with abatement. **Faylor** seconded the motion. The motion carried 3-2.

2) 20210170 Dino Besic
 Location of Violations: 211 Center Blvd., Richland, WA 99352
 Mailing Address: Same
 Description of Violations: **RMC 10.04.040(C)** Low-Hanging Tree Limbs
 Notice of Civil Violation Issued: April 26, 2021

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Besic 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 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 trim the tree branches overhanging the sidewalk and street so the limbs are no less than eight feet in height over the sidewalk and fourteen feet in height over the roadway in accordance with the Richland Municipal Code. If correction of the violations has not occurred by June 6, 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 **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met trim the tree branches overhanging the sidewalk and street so the limbs are no less than eight feet in height over the sidewalk and fourteen feet in height over the roadway in accordance with the Richland Municipal Code. If correction of the violations has not occurred by June 6, 2021, the city may proceed with abatement. Member **Edmondson** seconded the motion. The motion carried 5-0.

3) 20210021 Ron Asmus
 Location of Violations: Parcel #136984060005000, Richland, WA 99352
 Mailing Address: 802 Dawes Street, Kennewick, WA 99336
 Description of Violations: **RMC 10.04.040(O)** Noxious Weeds
 Notice of Civil Violation Issued: April 26, 2021

CASE REPORT: Stephanie Dorko, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. Asmus 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 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 all noxious weeds (tumbleweeds) shall be removed from the property and disposed of in accordance with the Richland Municipal Code. If correction of the violations has not occurred by June 6, 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 **\$150** with a continuing monthly penalty of \$100 until compliance is met. For compliance to be met all noxious weeds (tumbleweeds) shall be removed from the property and disposed of in accordance with the Richland Municipal Code. If correction of the violations has not occurred by June 6, 2021, the city may proceed with abatement. Member **Edmondson** seconded the motion. The motion carried 5-0.

4) 20210328 Sayed & Jamine Ali
 Location of Violations: 515 George Washington Way, Richland, WA 99352
 Mailing Address: 426 Snyder Street, Richland, WA 99354
 Description of Violations: **RMC 10.06.030** Storage of an Inoperable Vehicle; **RMC 10.04.040(G)** Vehicle Parts
 Notice of Civil Violation Issued: April 13, 2021

CASE REPORT: Lindsey Linhoff, Code Enforcement Officer, presented the facts of the case and responded to questions from the Code Enforcement Board. Mr. and Mrs. Ali were not present but did try to attend the zoom and had technical difficulties. Due to this the case will be presented.

RECOMMENDATION: Compliance has been met. Code Enforcement staff recommends assessment of a monetary penalty in the amount of \$250 for the issuance of the Notice of Civil Violation (Exhibit 1) with no continuing monthly penalties as compliance has been met.

CODE BOARD DECISION: Member **Bialy** 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 impose a monetary penalty in the amount of **\$250** for the Notice of Civil Violation with no continuing monthly penalties as compliance has been met. Member **Bialy** seconded the motion. The motion carried 5-0.

5) 20210320 Roger & Valerie Johnson
 Location of Violations: 1127 Sunset Street, Richland, WA 99354
 Mailing Address: Same
 Description of Violations: **RMC 10.06.030** Storage of an Inoperable Vehicle; **RMC 10.04.040(G)** Vehicle Parts
 Notice of Civil Violation Issued: April 20, 2021

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

RECOMMENDATION: Compliance has been met. Code Enforcement staff requests that the Code Enforcement Board enters a default judgement and recommends assessment of a monetary penalty in the amount of \$250 for the issuance of the Notice of Civil Violation (Exhibit 1) with a no continuing monthly penalties as compliance has been met.

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 **\$250** with no continuing

monthly penalties as compliance has been met. Member **Edmondson** 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:

None

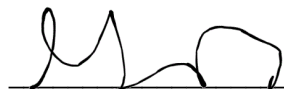
NEW / OTHER BUSINESS:

None

ADJOURNMENT:

Chairman **Levy** adjourned the meeting at 7:58 p.m.

APPROVED this 8th day of June 2021.

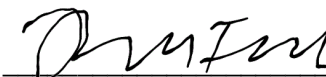


GREGERY LEVY, Chairman

SKYE WHITE, Vice-Chairman



DERENDA BIALY, Member



RAGAN FAYLOR, Member



ALBERT EDMONDSON, Member

ATTEST:



Shawn Swanson, Sergeant