

Note: City of Richland Resolution No. 100-20 temporarily designates virtual locations for all municipal meetings. This meeting will be held remotely via Zoom. Members of the public may attend this meeting remotely by selecting the Zoom link or by calling the phone numbers provided.



Agenda
Code Enforcement Board Meeting
Tuesday, March 8, 2022
Join the Zoom meeting [here](#)
Public Telephone Access: (206) 337-9723 or (253) 215-8782
Meeting ID No. 831 2379 3370

Board Members: Chair White, Vice Chair Faylor, and Members Bialy, Edmondson, and Levy

Staff Liaison Staff Liaison Sergeant Swanson

Regular Meeting - 7:00 p.m. via Zoom

Call to Order/Attendance:

Approval of Agenda: March 8, 2022 (Approved by Motion)

Approval of Minutes: February 8, 2022 (Approved by Motion)

Compliance Hearings/Administration of Oaths:

1. Case #20220132 Glen A Clark

Location of Violation: 706 Adams Avenue, Richland, WA 99352
Description of Violation: RMC 10.04.030(C) Accumulation of garbage, manure, etc.
Mailing Address: 1219 N Edison St, Kennewick, WA 99336
Notice of Civil Violation: February 23, 2022
- Lindsey Linhoff

2. Case #20211120 Terry L Schultz

Location of Violation: 2534 Allegheny Ct, Richland, WA 99354
Description of Violation: RMC 10.04.040(Q) Dead/Dying Trees; RMC 10.06.030 Storage of an Inoperable Vehicle
Mailing Address: Same
Notice of Civil Violation: February 10, 2022
- Lindsey Linhoff

3. Case #20210828 Estate of Scott M Elliot

Location of Violation: 391 Wright Ave, Richland, WA 99352
Description of Violation: RMC 10.04.040(Q) Dead/Dying Trees; 10.04.040(G) Vehicle Parts/Household Items; 10.04.030(C) Trash Accumulation
Mailing Address: Same
Notice of Civil Violation: February 22, 2022
- Jamie Williams

Execution of Orders:**Continued Cases/Old Business:****New Business/Liaison Comments:**

1. Review of Draft Changes to the RMC - Edmondson
2. Continuation of Zoom Meetings - Swanson

Adjournment

The next Code Enforcement Board Meeting is April 12, 2022

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 509-942-7389.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 3/8/2022

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

Case #20220132 Glen A Clark

Location of Violation: 706 Adams Avenue, Richland, WA 99352

Description of Violation: RMC 10.04.030(C) Accumulation of garbage, manure, etc.,

Mailing Address: 1219 N Edison St, Kennewick, WA 99336

Notice of Civil Violation: February 23, 2022

- Lindsey Linhoff

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 706 Adams Packet



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

NOTICE OF REPEAT CIVIL VIOLATION

February 23, 2022

Glen A Clark
1219 N Edison St
Kennewick, WA 99336

Case Number: 20220132

An inspection on February 23, 2022 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):

706 Adams St, Richland WA 99352

Description of Violation(s):

RMC 10.04.040(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;

Required Corrective Action(s):

Remove the dog feces that has accumulated in the back yard of the property in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 8, 2022 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:

Past case# 20210214; 3/9/2021; RMC 10.04.040(C); 706 Adams St Richland WA 99352

Past case# 20200530; 6/1/2020; RMC 10.04.040(C); 706 Adams St Richland WA 99352

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: *Zoom- See attachment*

Date: March 8, 2022

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 23, 2022 by the Code Enforcement Officer signing below.

Signature: _____

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

Attachment – Voluntary Correction Notice

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.



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

Correction Notice

Date: 3/9/2021

Location: 706 Adams St, Richland WA 99352

Report #: 20210214

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 immediate action to bring your property into compliance as identified herein.

Description of the Violation(s):

RMC 10.04.030(C) Public nuisance affecting health -- accumulation of garbage, decaying vegetation, manure, etc.: 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.

Required Corrective Action(s):

Please **REMOVE ALL ANIMAL WASTE AND MAINTAIN THE CLEANUP THROUGHOUT** the property **SO THE ANIMAL WASTE DOES NOT ACCUMUALTE** and pose a nuisance to neighboring properties in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 3/27/2021 no later than 8:00 am.

Failure to remedy the violation(s) identified in this Correction Notice may result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board and monetary penalties may be assessed.

The City's objective is to work with you to achieve voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in this Correction Notice. If you have questions about the enforcement process, or if you need additional information or resources, please contact the Code Enforcement Officer identified in this notice.

Issued on 3/9/2021 by Officer Jamie Williams
Phone Number: 509-942-7577

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

Join Zoom Meeting

<https://cityofrichlandwa.zoom.us/j/83123793370?pwd=NVVVMEJmRUhFcVFWYmdWQkNtMDkrUT09>

Meeting ID: 831 2379 3370

Passcode: 955907

One tap mobile

+12063379723,,83123793370# US (Seattle)

+12532158782,,83123793370# US (Tacoma)

Dial by your location

+1 206 337 9723 US (Seattle)

+1 253 215 8782 US (Tacoma)

Meeting ID: 831 2379 3370

Find your local number: <https://cityofrichlandwa.zoom.us/j/83123793370?pwd=NVVVMEJmRUhFcVFWYmdWQkNtMDkrUT09>

****Please contact Officer Linhoff at 509-713-9027 if you experience problems calling in to the meeting****



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 3/8/2022

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

Case #20211120 Terry L Schultz

Location of Violation: 2534 Allegheny Ct, Richland, WA 99354

Description of Violation: RMC 10.04.040(Q) Dead/Dying Trees; RMC 10.06.030 Storage of an Inoperable Vehicle

Mailing Address: Same

Notice of Civil Violation: February 10, 2022

- Lindsey Linhoff

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 2534 Allegheny Packet



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

NOTICE OF CIVIL VIOLATION

February 10, 2022

Terry L Schultz
2534 Allegheny Ct
Richland, WA 99354

Case Number: 20211120

An inspection on February 10, 2022 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):

2534 Allegheny Ct, Richland WA 99354

Description of Violation(s):

RMC 10.04.040(Q) The existence of any dead, diseased, infested, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons

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):

Remove the dead trees and shrubs from throughout the property and store the silver Ford Explorer with Washington plate 296ZGO in accordance with the Richland Municipal Code.

The corrective action(s) identified in this notice must be completed by March 6, 2022 no later than 5:00 p.m.

You received notice dated September 21, 2021 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: *Zoom- see attachment*

Date: March 8, 2022

Time: 7:00 PM

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

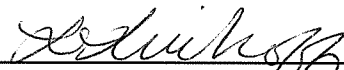
Compliance BEFORE the Hearing: If you come into compliance by correcting the violation(s) prior to the hearing, as inspected and verified by a Richland Code Enforcement Officer, the City will inform the Board at the hearing that the property is in compliance. Per RMC 10.02.050(E), a minimum penalty of \$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 10, 2022 by the Code Enforcement Officer signing below.

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

Attachment – Voluntary Correction Notice

Fraudulent use or misuse of this form may result in criminal charges for Criminal Impersonation in the First Degree under RCW 9A.60.040. Criminal Impersonation in the first degree is a Class C Felony.



Correction Notice

Date: 9/29/2021

Location: 2534 Allegheny Ct, Richland WA 99354

Report #: 20211120

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 immediate action to bring your property into compliance as identified herein.

Description of the Violation(s):

RMC 10.04.040 (P) Public Nuisance Affecting Peace and Safety: all grasses, weeds, or other vegetation growing, or which has grown and died, shall not exceed 6 inches in height

RMC 10.04.040 (Q) The existence of any dead, diseased, infested, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons

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):

Remove the dead trees and shrubs from throughout the property; cut and maintain the grass and weeds throughout the property; store the silver Ford Explorer with Washington plate 296ZGO in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 10/27/2021 no later than 8:00 am.

Failure to remedy the violation(s) identified in this Correction Notice may result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board and monetary penalties may be assessed. In lieu of advancing your case to the Code Enforcement Board, you may be eligible to enter a Voluntary Correction Agreement with the City to significantly extend your compliance date. Contact Code Enforcement to learn more about this option.

If you believe you are not in violation of the RMC and wish to contest this notice, you may request an impartial hearing before the five-member Code Enforcement Board. 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 whether to affirm or disaffirm the City's accusation of a violation(s). Monetary penalties may be assessed if the violation(s) is affirmed.

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

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

The City's objective is to work with you to achieve voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in this Correction Notice. If you have questions about the enforcement process, or if you need additional information or resources, please contact the Code Enforcement Officer identified in this notice.

Issued on 9/29/2021 by Officer Lindsey Linhoff
Phone Number: 509-942-7740

Join Zoom Meeting

<https://cityofrichlandwa.zoom.us/j/83123793370?pwd=NVVVMEJmRUhFcVFWYmdWQkNtMDkrUT09>

Meeting ID: 831 2379 3370

Passcode: 955907

One tap mobile

+12063379723,,83123793370# US (Seattle)

+12532158782,,83123793370# US (Tacoma)

Dial by your location

+1 206 337 9723 US (Seattle)

+1 253 215 8782 US (Tacoma)

Meeting ID: 831 2379 3370

Find your local number: <https://cityofrichlandwa.zoom.us/j/83123793370?pwd=NVVVMEJmRUhFcVFWYmdWQkNtMDkrUT09>



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 3/8/2022

Agenda Category: Compliance Hearings/Administration of Oaths

Prepared By:

Subject:

Case #20210828 Estate of Scott M Elliot

Location of Violation: 391 Wright Ave, Richland, WA 99352

Description of Violation: RMC 10.04.040(Q) Dead/Dying Trees; 10.04.040(G) Vehicle Parts/Household Items; 10.04.030(C) Trash Accumulation

Mailing Address: Same

Notice of Civil Violation: February 22, 2022

- Jamie Williams

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. 391 Wright Packet



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

NOTICE OF CIVIL VIOLATION

February 22, 2022

The Estate of Scott Elliott
391 Wright Ave
Richland, WA 99352

Case Number: 20210828

An inspection on February 22, 2022 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):

391 Wright Ave, Richland WA 99352

Description of Violation(s):

RMC 10.04.040 (Q) Dead/dying trees: The existence of any dead, diseased, infested, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons.

RMC 10.04.040(G) vehicle parts, ice chest, refrigerator, furniture, etc: Public Nuisance Affecting Peace and Safety; permitting to remain outside any dwelling, building or structure, any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side, or rear yard of the property maintained by a "responsible person" and which items can be seen from a public sidewalk, street, or road unless obscured behind a sight-obscuring fence in a manner where it is not visible from public or private property at ground level.

RMC 10.04.030(C) Public nuisance affecting health -- accumulation of garbage, decaying vegetation, manure, etc. 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.

Required Corrective Action(s):

Please remove all dead and dying tree/vegetation on the property in accordance with the Richland Municipal Code.

Properly store ALL household items and vehicle parts including appliances, furniture, tires, and totes, in accordance with the Richland Municipal Code.

Please remove all accumulated garbage, decaying vegetation, yard debris etc. in accordance with the Richland Municipal Code

The corrective action(s) identified in this notice must be completed by March 6, 2022 no later than 5:00 p.m.

You received notice dated January 25, 2022 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: *VIA ZOOM * INSTRUCTIONS INCLUDED.*

Date: March 8, 2022

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 22, 2022 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.



FINAL Correction Notice

Contact Code Enforcement Officer Williams @ 509 713-9071

Date: 1/25/2022

Location: 391 Wright Ave, Richland WA 99352

Report #: 20210828

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 immediate action to bring your property into compliance as identified herein.

Description of the Violation(s):

RMC 10.04.040 (Q) Dead/dying trees: The existence of any dead, diseased, infested, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons.

RMC 10.04.040(G) vehicle parts, ice chest, refrigerator, furniture, etc: Public Nuisance Affecting Peace and Safety; permitting to remain outside any dwelling, building or structure, any vehicle parts, ice chest, refrigerator, furniture, household appliances or other similar items, in any front, side, or rear yard of the property maintained by a "responsible person" and which items can be seen from a public sidewalk, street, or road unless obscured behind a sight-obscuring fence in a manner where it is not visible from public or private property at ground level.

RMC 10.04.030(C) Public nuisance affecting health -- accumulation of garbage, decaying vegetation, manure, etc. 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.

Required Corrective Action(s):

Please remove all dead and dying tree/vegetation on the property in accordance with the Richland Municipal Code.

Properly store ALL household items and vehicle parts including appliances, furniture, tires, and totes, in accordance with the Richland Municipal Code.

Please remove all accumulated garbage, decaying vegetation, yard debris etc. in accordance with the Richland Municipal Code.

The corrective actions(s) identified in this Correction Notice must be completed by 2/19/2022 no later than 8:00 am.

Failure to remedy the violation(s) identified in this Correction Notice may result in the City issuing a Notice of Civil Violation and scheduling a hearing before the Richland Code Enforcement Board and monetary penalties may be assessed.

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

The City's objective is to work with you to achieve voluntary compliance. Formal action will be taken only if the violation(s) are not corrected as identified in this Correction Notice. If you have questions about the enforcement process, or if you need additional information or resources, please contact the Code Enforcement Officer identified in this notice.

Issued on 1/25/2022 by Officer Jamie Williams
Phone Number: 509-942-7577

****Please call me at #509-713-9071 if you plan to attend or not via ZOOM and if you have problems logging in to the meeting****

Join Zoom Meeting

Phone one-tap: US: [+12063379723,94966542362#](tel:+1206337972394966542362) or [+12532158782,94966542362#](tel:+1253215878294966542362)
Meeting URL: <https://cityofrichlandwa.zoom.us/j/94966542362>
Meeting ID: 949 6654 2362

Join by Telephone

For higher quality, dial a number based on your current location.

Dial:
US: +1 206 337 9723 or +1 253 215 8782
Meeting ID: 949 6654 2362



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 3/8/2022

Agenda Category: New Business/Liaison Comments

Prepared By:

Subject:

Review of Draft Changes to the RMC - Edmondson

Department:

Police

Recommended Motion:

Summary:

Attachments:

1. Draft of Changes to the RMC, March 01 2022

Proposed Changes to Title 10 of the Richland Municipal Code

Summary description of changes proposed to Title 10 of the Richland Municipal Code:

1. A three-tier code violation abatement process is adopted starting with a no-fine 30 days period for voluntary correction (can be extended to 60 days if justified) to abate a violation. The RPD has been very successful with this approach, closing 97 to 98 percent of the approximate 3000 cases initiated each year.
2. If voluntary correction is not achieved, or is the person responsible to abate refuses to enter the voluntary abatement plan, then a notice of mandatory correction is issued that includes with a fine imposed to offset the cities work to write a new notice reclassifying the case. Additionally, each separate violation carries an assigned fine.
3. The third tier is structured like the second but with higher fines. Violation fines are capped at 5,000 per violation as specified by the RCW. Keep listing each violation with an individual designator; makes it clear that we can tract multiple violations with one case number.
4. The old \$100/month cases can be forgiven, and we start new. Nothing has ever been paid on our oldest case. Plan forward: Identify how much has been paid on each old case and rewrite the notice of violation on every case where nothing has been paid to put it in the mandatory correction category. I stated in this rewrite that violators do not get a refund if they have paid the monthly fine, and those also get rolled into a mandatory correction case.
5. Our fine structure is more lenient than both the Kennewick and Pasco structure. Refer to RMC 10.02.050 that now includes a table showing one-time fines and recurring weekly fines. Recuring fines have a sizeable range, e.g., 100 to 500 dollars a week per violation for mandatory correction,
6. We need to encourage the city attorney's office to turn over collection to a collection agency; that should force the majority of the old cases to be addressed.
7. I've added a new nuisance violation regarding yard/garage sales; people can up to three per calendar year. The fourth is an RMC violation. A verbal warning should suffice.
8. The BIG takeaway is that a verbal warning to a person responsible for a violation abatement will have no fine, provided that they take care of the problem. At the next stage, tier two, the fine structure should motivate people to close a violation very quickly, The board has its traditional role and responsibilities.

10.02.030 Definitions. (3 new definitions)

"Violation" means an act or omission contrary to a city of Richland regulation including an act or omission at the same or different location by the same person, including a condition resulting from such act or omission.

"Civil violation" means a violation for which a monetary penalty may be imposed as specified in this chapter. Each day or portion of a day during which a violation occurs is a separate violation. Civil violations include violations abated by voluntary correction, mandatory correction, and chronic violations.

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"Violation category" means any one of the violations enumerated by RMC 10.04.030 and RMC 10.04.040 identified by individual alpha numeric characters, and any other unique descriptions in other titles listed in RMC 10.02.010

10.02.040 Voluntary Correction.

A. Applicability. This section applies whenever a department director determines that a violation of a regulation has occurred or is occurring.

B. General. Voluntary correction is the first and preferred method of a three-tier process to promote resolution of municipal code violations. The applicable department director shall pursue reasonable means to secure voluntary correction by contacting the person responsible for the violation, describing the violation(s) with reference to the Richland Municipal Code (RMC), and negotiating a reasonable schedule for abatement with a goal for complete abatement not to exceed 30 days from the time of initial contact.

1. The second and third tiers of violation abatement are described in RMC 10.02.045 and RMC 10.02.046 respectively.

2. If the responsible person is unwilling to enter into a voluntary correction contract, or did in fact enter into a voluntary agreement but failed to complete prescribed actions necessary to restore code compliance in a timely manner, the applicable department director shall issue a notice of mandatory correction. This second-tier citation includes a fine for not fulfilling civil responsibility to abate violations, plus additional fines for each category of code violation as tabulated in RMC 10.02.050(E).

3. The third tier of violation titled a notice of chronic violation is applicable to cases not resolved by tiers one and two. Tier three civil fines provide incentive to correct violations without protracted delay as tabulated in RMC 10.02.050(E).

4. In cases where multiple categories of violation are included, and fines for fully abated violations are complete as verified by the city department as described in RMC 10.02.040(E)

C. Notice content. A notice of violation shall include the information listed by RMC 10.02.050(E3).

D. Unresolved cases. Any responsible person with an unresolved violation greater than 120 days old wherein a monthly fine for non-compliance with the RMC has been implemented shall be notified that their current notice of civil violation and recurring fine is superseded by a notice of mandatory

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correction (RMC 10.02.045), to be followed by a notice of chronic violation (RMC10.02.046) with attendant fines. If abatement is not achieved by a notice of mandatory correction.

1. Periodic payments made by a responsible person under an existing fine schedule will not be refunded. Any accrued payments will be credited toward the RCW \$5,000 limit on a civil violation fines RCW 10.02.050(B).

E. Issuance of voluntary correction agreement. A voluntary correction agreement between the person responsible for the violation and the city represented by the applicable department director is the preferred method of violation abatement.

1. The voluntary correction agreement is a contract between the city and the person responsible for the violation under which such person agrees to abate the violation within a specified time and according to specified actions required to achieve compliance with the RMC.
2. A notice of voluntary correction shall include the following:
 - a. The name and address of the person responsible for correcting the violation.
 - b. The street address or a description sufficient for identification of the building, structure, premises, or land upon which or within which a violation has occurred or is occurring,
 - c. Reference to the specific Richland Municipal Code ordinance or regulations that define a code non-conforming condition.
 - d. The necessary corrective action(s) to be taken for each cited violation, and a date and time by which the corrective action(s) must be completed. The preferred maximum time for completion of action(s) is 30 days, with allowance not to exceed 60 days if in the opinion of the applicable department director that the preferred time limit is not reasonably achievable.
 - e. An agreement by the person responsible for the violation that the city of Richland may abate the violation and recover its costs and expenses and a monetary penalty pursuant to this chapter from the person responsible for the violation if all terms of the voluntary correction agreement have not met; and
 - f. An agreement that by entering into the voluntary correction agreement the person responsible for the violation waives the right to an administrative appeal of the violation and/or the required corrective action.
 - g. A warning that failure to correct violations by the date set for complete abatement as included in parts C.1.c and C.1.d will result in civil violation fines.

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3. Administrative Review of Compliance. After the person responsible for the violation has given notice to the city of completion of the abatement required under the voluntary correction contract, the applicable department director shall, within three working days, determine if the abatement is complete. If said director determines that the abatement is not complete, the person responsible for the violation shall have five days in which to file an appeal with the community and economic development director of the city for review of such determination, which review shall be completed within 30 days of the date of the receipt of the notice of review. The only issue subject to review shall be whether there has been complete compliance with the terms of the voluntary correction agreement.

4. Extension – Modification. An extension of the time limit for the required corrective action and/or required date for compliance of each incomplete action may be recommended to the code enforcement board by the applicable department director. If the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation and/or unforeseen circumstances render correction under the original conditions unattainable, the compliance due date for completing abatement actions may be extended.

a. An extension may not exceed 60 days from the date of the initial voluntary correction agreement.

b. The board may accept, reject, or modify the extended date for voluntary compliance. If an extension is rejected the violation shall be reclassified from a voluntary correction case RMC 10.02.040 to a notice of mandatory correction 10.02.045. A fine shall accompany the reclassification as required by 10.02.050(E). If the disposition by the board is to accept an extended date to complete corrective action, the violation shall continue as a voluntary correction.

c. When a voluntary correction violation case has remained open for more than 90 calendar days from the date of the original notice, the original notice shall be superseded by a notice of chronic violation. The penalty fines in effect on day 90, if any, shall be superseded by penalty fines found in sections 10.02.046 and 10.02.050 of this code.

4. Abatement by the City. The city may abate the violation in accordance with RMC [10.02.070](#) if the terms of the voluntary correction agreement are not met.

5. Collection of Costs. If the terms of the voluntary correction agreement are not met, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction and thereafter, in accordance with RMC [10.02.045](#), [10.02.046](#), and [10.02.050](#)(E) as applicable, plus all costs and expenses of abatement, as set forth in RMC [10.02.070](#)(D). [Ord. 04-10 § 1.01; Ord. 19-12 § 1].

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10.02.045 Mandatory Correction.

- A. Applicability. In the event that person responsible for a civil violation enters into a voluntary compliance agreement with the city, but does not complete voluntary compliance in accordance with the contracted date for complete abatement, the RPD shall issue a notice of mandatory correction that includes listing individual violations if there are more than one, a date for full compliance with RMC, and recommended fines. The details of this course of action and schedule is subject to approval by the city code enforcement board who may modify required actions, the required schedule for completion of individual violations, and the civil penalty fines recommended by the responsible department director.
- B. General. Mandatory correction is the second method of a three-tier process to promote resolution of municipal code violations. Content of the notice of mandatory correction shall be the same format as in 10.02.050(E3). The target duration to achieve abatement of all violations included in the notice of mandatory correction is 30 days from the date of the notice of mandatory correction date
 - 1. If the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation and/or unforeseen circumstances render correction under the original conditions unattainable, the compliance due date for completing abatement actions may be established between the city and the person responsible for abatement.
 - a. An extension may not exceed a total of 60 days from the date of the notice of voluntary correction agreement. An additional extension beyond 60 days required the approval of the code enforcement board.
- C. Issuance of mandatory correction. The responsible department director shall issue a notice of mandatory correction following the prescribed notice content given in 10.02.050, Parts C.1 and C.2.
- D. Violation reclassification. A voluntary correction violation reclassification to a mandatory correction violation shall result in civil penalties pursuant to 10.02.050(E). Penalty shall include a fine for reclassification of the violation, and an additional fine(s) for each individual violation that was not fully abated during the voluntary compliance period.
 - 1. Civil penalties shall be paid within 15 days of service of the notice if not appealed. Payment of the civil penalties assessed under this chapter does not relieve a person found to be responsible for a code violation of his or her duty to correct the violation and/or to pay any and all civil penalties, and any other cost assessments issued pursuant to this chapter.

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2. The city may use the services of a collection agency in order to collect any civil penalties, fees, costs and/or interest owing under this chapter.

E. Failure of the person responsible for correcting mandatory correction violations by the required completion date, or failure to pay a fine within 30 days of service of the notice shall cause the case to be reclassified and reissued as a notice of chronic violation.

10.02.46 Chronic Violations.

- A. Applicability. In the event the person responsible for a violation does not enter into a voluntary correction agreement with the city, and the violation is not fully abated within 60 days, or as otherwise required by RMC 10.02.045, a notice of chronic violation shall be issued by the that includes a statement that any and all previous notifications are individually reclassified as chronic violations. The notice of chronic violation shall repeat the content of section 10.02 040 C (1.a) through C (1.f) for any violation that has not been corrected within the 60-day limit, and likewise, for uncorrected violation included in a previous notice of violation.
- B. Reclassification of a notice of mandatory correction to a notice of chronic violation shall include a one-time fine for reclassification, and additional fines for each unabated violation. These fines shall be levied in accordance with RMC [10.02.050](#)(E), plus all costs and expenses of abatement the city as set forth in RMC [10.02.070](#)(D).
- C. The person responsible for a violation may appeal to the Richland City Police - Code Enforcement Division, for more time for compliance, and such appeal may be granted based upon reasonable progress and factors outside the control of the responsible person. Rescheduling a date for full compliance is at the discretion of the city department manager who may deny rescheduling, or approve and recommend a revised date for compliance, including the attendant rationale for extension to the code enforcement board. The Board may accept, reject, or make changes prior to acceptance of a schedule extension for compliance.
- D. Reclassification of a nuisance violation to a chronic violation shall result in a civil penalty pursuant to 10.02.050(E).
 1. Violation reclassification to a chronic violation shall include a one-time fine for failure to complete obligations to close a mandatory correction notice.
 2. Upon reclassification the owner shall be given notice that in 90 days an additional fine shall be imposed if the violations are not fully abated.
 3. The fine levied against the responsible person shall not exceed a total accumulated fine of \$5,000 for each individual violation category listed in chronic notice of violation.

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4. Civil penalties shall be paid within 15 days of service of the notice if not appealed. Payment of the civil penalties assessed under this chapter does not relieve a person found to be responsible for a code violation of his or her duty to correct the violation and/or to pay any and all civil penalties or other cost assessments issued pursuant to this chapter.
5. The city may use the services of a collection agency in order to collect any civil penalties, fees, costs and/or interest owing under this chapter.

0.02.050 Violations and fines.

A. Issuance.

1. When the applicable department director determines that a violation has occurred or is occurring, and is unable to secure voluntary correction pursuant to RMC [10.02.040](#), the applicable department director may issue a notice of civil violation to the person responsible for the violation. This notice can take one of two forms; a mandatory correction citation or a chronic violation citation. If a mandatory correction violation is not corrected in a timely manner, it is reclassified as a chronic violation. Penalty fines increase when violation corrective action is not accomplished in the allotted time for code compliance.

2. The applicable department director may issue a notice of code violation without having attempted to secure voluntary correction as provided in RMC [10.02.040](#) under the following circumstances:

- a. When an emergency exists; or
- b. When a repeat violation occurs; or
- c. When the violation creates a situation or condition which cannot be corrected; or
- d. When the person knows or reasonably should have known that the action is in violation of a city of Richland regulation.

B. Content. The notice of civil violation shall include the following information:

1. The name and address of the person responsible for the violation; and

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2. The street address or a description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring; and
3. A description of the violation with reference to the provision(s) of the city of Richland regulation which has been violated. If multiple violations have occurred, the number of violations shall be stated with each violation enumerated as a separate line-item violation description and applicable RMC reference; and
4. The required corrective action(s) and a date and time by which the correction must be completed after which the city may abate the unlawful condition in accordance with RMC 10.02.070 and the code enforcement board's order; and
5. The date, time and location of an appeal hearing before the code enforcement board, which will be at least 10 days from the date the notice of violation was issued; and
6. A statement indicating that a fine, or additional fines, will be assessed by the code enforcement board if the person responsible for abatement does not complete abatement by the date(s) specified.
7. A statement that the costs and expenses of abatement incurred by the city pursuant to RMC 10.02.070(D) and a monetary penalty in an amount per day for each individual violation as specified in subsection (E) of this section may be assessed against the person to whom the notice of civil violation is directed as specified and ordered by the code enforcement board.

C. Service of Notice. The applicable department director shall serve the notice of civil violation upon the person to whom it is directed, either personally or by mailing, by both regular mail and certified mail, a copy of the notice of violation to such person at their last known address. If the person to whom it is directed cannot after due diligence be personally served within Benton County and if an address for mailed service cannot after due diligence be ascertained, notice shall be served by posting a copy of the notice of civil violation conspicuously on the affected property or structure. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and if by posting the facts showing that due diligence was used in attempting to serve the person personally or by mail.

D. Extension. No extension of the time specified in the notice of civil violation for correction of the violation may be granted, except by order of the code enforcement board.

E. Monetary Penalty. A set penalty shall be assessed for both mandatory correction and chronic notices of violation as listed in RMC Table 10.02.050(E), and a minimum penalty shall be

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assessed for each category of offense. The maximum monetary penalty for each separate violation or portion thereof shall be as listed in Table 10.02.050(E) to a maximum penalty of \$5,000 for each category of offence. Repeat violations shall result in a doubled daily monetary amount. Upon the third violation of the same regulation at the same location within two years, the violation shall constitute a criminal offense and shall subject the violator to criminal prosecution and penalties as set forth in RMC [10.02.030](#).

Table 10.02.050(E) Schedule of Fines

Violation Type	Penalty Fine and RMC Reference	Fine
Voluntary Correction	No fines if voluntary corrective action is carried out on a schedule mutually acceptable to the City of Richland and the person responsible for corrective action. Reference 10.02.040.	No fines.
Mandatory Correction	Issuing notice of violation. Reference RMC 10.02.045.	\$100.00
	Fine for each category of violation tabulated in Part C.1.d of the notice:	Minimum: \$100.00 per week Maximum \$500.00 per week
Chronic Violation	Issuing notice of violation or violation reclassification.	\$200.00
	Additional fine(s) for each category of violation tabulated in Part C.1.d of the notice.	Minimum: \$200.00 per week Maximum \$500.00 per day
Maximum Fines	For mandatory correction and chronic violations the accumulated fine for each category of violation:	Maximum \$5,000.00 per individual violation

F. Continued Duty to Correct. Payment of the monetary penalty does not relieve the person to whom the notice of civil violation was issued of the duty to correct the violation.

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G. Collection of Monetary Penalty.

1. The monetary penalty constitutes a personal obligation of the person to whom the notice of violation is directed. Any monetary penalty assessed must be paid to the city of Richland within 30 calendar days from the date of mailing of the code enforcement board's decision or a notice from the city that penalties are due.
2. The city manager or his/her designee is authorized to take appropriate action to collect the monetary penalty.
3. In the event of an appeal to the code enforcement board, monetary penalties as provided herein shall accrue during the appeal period unless the appellant prevails on appeal. Accrued monetary penalties shall not exceed three times the amount of the or weekly monetary penalty for any single violation from the first date of violation through the date the code enforcement board renders a final decision.

H. Entry to Buildings and Premises – Warrants. Whenever necessary to make an inspection to determine whether a civil violation has occurred or is occurring, or to enforce any provision of the Richland Municipal Code, or regulation issued thereunder, violation of which is a civil violation under this chapter, the applicable department director or his designee may enter any building or premises at any reasonable time, provided if such building or premises is occupied he shall first present credentials and demand entry; and if such building or premises is not occupied, he shall first make a reasonable effort to locate the owner or other person having charge of the building or premises and demand entry. If such entry is refused, or the owner or other person having charge of the building or premises cannot be located, the applicable department director or his designee shall have recourse to every remedy provided by law to secure entry, including recourse to the district or superior court for issuance of a warrant authorizing such entry and inspection. [Ord. 04-10 § 1.01; Ord. 19-12 § 1].

10.02.060 Hearing before the code enforcement board.

A. Notice. A person to whom a notice of mandatory correction or chronic violation is issued will be scheduled to appear at a hearing before the code enforcement board at the next regularly scheduled code enforcement board meeting.

B. Prior Correction of Violation. A penalty shall be assessed in accordance with 10.02.050 whether the required corrective action is completed prior to the scheduled hearing or not.

C. Procedures. The code enforcement board shall conduct a hearing on the civil violation pursuant to the rules of procedure of the code enforcement board. The applicable department director and the person to whom the notice of civil violation was directed may participate as

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parties in the hearing and each party may call witnesses. The city shall have the burden of proof to demonstrate by a preponderance of the evidence that a violation has occurred and that the required corrective action is reasonable. The determination of the applicable department director as to the need for the required correction action shall be accorded substantial weight by the code enforcement board in determining the reasonableness of the required corrective action.

D. Decision of the Code Enforcement Board.

1. The code enforcement board shall determine whether the city has established by a preponderance of the evidence that a violation has occurred and that the required corrective action is reasonable and shall affirm, vacate, or modify the city's decision regarding the alleged violation and/or the required corrective action, with or without written conditions.
2. If the code enforcement affirms the violation, the board shall issue an order to the person responsible for the violation which contains the following information:
 - a. The decision regarding the alleged violation including findings of fact and conclusion based thereon in support of the decision.
 - b. The required corrective action.
 - c. The date and time by which the correction must be completed.
 - d. The date and time after which the city may proceed with abatement of the unlawful condition if the required correction is not completed.
3. Assessment of Monetary Penalty. Monetary penalties assessed by the code enforcement board shall be in accordance with the monetary penalty schedule in RMC [10.02.050](#)(E). The code enforcement board shall have the following options in assessing monetary penalties:
 - a. Assess monetary penalties beginning on the date the notice of civil violation was issued and thereafter; or
 - b. Assess monetary penalties beginning on the correction date set by the applicable department director or an alternate correction date set by the code enforcement board and thereafter; or
 - c. Assess less than the maximum monetary penalty for a notice of mandatory violation.

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4. Determining the Monetary Penalty Assessment. When determining the monetary penalty assessment, the code enforcement board shall consider the following factors:

- a. Whether the person responded to staff attempts to contact the person and cooperated with efforts to correct the violation(s).
- b. Whether the person failed to appear at the hearing.
- c. Whether any of the violation(s) was a repeat violation.
- d. Whether the person showed due diligence and/or substantial progress in correcting the voluntary agreement.
- f. Any other relevant factors.

The code enforcement board may double the daily monetary penalty schedule if the violation is a repeat violation. In determining the amount of the monetary penalty for repeat violations the code enforcement board shall consider the factors set forth in subsection (D)(4) of this section.

E. Notice of Decision. The code enforcement board shall mail, by both first class and certified mail, a copy of the decision to the appellant within 20 business days of the hearing.

F. Failure to Appear. If the person to whom the notice of civil violation was issued fails to appear at the scheduled hearing, the code enforcement board will enter an order finding that the violation occurred and assess the appropriate monetary penalty. The city will carry out the code enforcement board's order and recover all related expenses, plus the cost of the hearing and any monetary penalty from that person.

G. Appeal to Superior Court. An appeal of the code enforcement board's decision must be filed no later than 5:00 p.m. on the fourteenth day following the date the written decision is provided to the person responsible for the violation. [Ord. 04-10 § 1.01; Ord. 19-12 § 1; Ord. 05-18 § 1].

10.02.070 Abatement by the city.

A. The city may abate a condition which was caused by or continues to be a civil violation when:

- 1. The terms of voluntary corrective agreement pursuant to RMC [10.02.040](#) have not been met; or

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2. A notice of civil violation has been issued pursuant to RMC [10.02.050](#) and a hearing has been held pursuant to RMC [10.02.060](#) and the required correction has not been completed by the date specified in the code enforcement board's order; or

3. The condition is subject to summary abatement as provided for in subsection (B) of this section.

B. Summary Abatement. Whenever any violation of a regulation causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

C. Authorized Action by the City. Using any lawful means, the city may enter upon the subject property and may remove or correct the condition which is subject to abatement. The city may seek such judicial process as it deems necessary for the removal or correction of such civil condition. Judicial process may include but not be limited to the following:

1. Obtaining an injunction to terminate the nuisance; and/or

2. Seeking a warrant of abatement from the superior court, with the costs of the legal processes, including attorney's fees, to be assessed against the violator in addition to the actual costs of abating the nuisance. A judgment in favor of the city may ultimately result in a sale of the property to satisfy the liens for costs incurred in abating the nuisance.

D. Recovery of Costs and Expenses.

1. The cost, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation and/or the owner, lessor, tenant or other person entitled to control, use and/or occupy the property and shall become due and payable to the city of Richland within 10 calendar days. The term "incidental expense" shall include but not be limited to personnel costs, both direct and indirect, including attorney's fees; costs incurred in documenting the violation; hauling, storage and disposal expenses; and actual expenses and costs of the city in preparing notices, specifications and contracts, and in accomplishing and/or contracting and inspecting the work; and the costs of any required printing and mailing.

E. Abatement Assessment Liens. In accordance with RCW [35.80.030](#), and following the hearing and authorization by the code enforcement board, the city finance officer will certify the assessment amount being due and owing, the county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall

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become a part of the general taxes for that year to be collected at the same time and with interest at such rates as provided in RCW [84.56.020](#), as now or hereafter amended, for delinquent taxes and when collected to be deposited to the credit of the general fund or other appropriate fund of the city. The lien shall be of equal rank with the state, county and municipal taxes.

F. Interference. No person shall obstruct, impede, or interfere with the city or its agents, or with any person who owns or holds any interest or estate in any property, in performing any acts necessary to correct the violation. [Ord. 04-10 § 1.01; Ord. 19-12 § 1]

10.04.045 Prohibited Acts

- A. It is a civil violation to conduct four (4) or more yard sales as defined in this title in a calendar year or to conduct a yard sale at a single location for longer than three (3) days.



CODE ENFORCEMENT AGENDA ITEM COVERSHEET

Meeting Date: 3/8/2022

Agenda Category: New Business/Liaison Comments

Prepared By:

Subject:
Continuation of Zoom Meetings - Swanson

Department:
Police

Recommended Motion:

Summary:

Attachments: