

0020.150.094A
TAR/crd
07/25/90
R:09/11/90

Code Enforcement
Revision of ORD 1458
RMC 1.14

ORDINANCE NO. 1586

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING AND CLARIFYING THE PROCEDURES FOR CODE COMPLIANCE, EXTENDING AUTHORITY TO THE HEARING EXAMINER TO IMPOSE A MONETARY PENALTY FOR NON-COMPLIANCE AND PROVIDING AUTHORITY FOR IMMEDIATE CITATION AND PENALTY FOR VIOLATION OF STOP WORK ORDERS AND CEASE AND DESIST ORDERS.

WHEREAS, the Redmond City Council finds that violations of City regulations pertaining to land use, construction, nuisances, sanitation, animal control and other miscellaneous matters endanger the public health, safety and welfare, and

WHEREAS, there is a need for amendment and clarification of the code compliance procedure, now, therefore,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, HEREBY ORDAINS AS FOLLOWS:

Section 1. Section 1.14.040 of the Redmond Municipal Code is hereby amended to read as follows:

1.14.040 Hearings. A hearing upon the violation identified in a notice of violation shall be held when a written request is submitted to the violations hearing examiner by the code compliance officer, code administrator, Public Works Director, or the person, firm, corporation or agent to whom the notice of violation was issued. Within ten days of receipt of the written request, the violations hearing examiner shall notify the code compliance officer, the alleged violator(s) to whom the notice was issued, and any other person who has requested the hearing, the date, time and place of the hearing. The notification of hearing shall be sent to the person to whom the Notice was issued by certified mail with return receipt requested. A written declaration of certified

mailing shall be made a part of the record declaring the date and time of mailing. The hearing shall be held within fifteen working days of receipt of the written request for a hearing unless all parties agree to another date, or the seriousness of the violation requires it earlier.

Section 2. A new Section 1.14.050(9) is hereby added to the Redmond Municipal Code to read as follows:

- (9) Impose monetary penalties in amounts of up to \$1,000 per violation for any violation properly brought before the hearing examiner.

Section 3. Section 1.14.070 of the Redmond Municipal Code is hereby amended to read as follows:

1.14.070 Violation of Stop Work Orders and Cease and Desist Orders - Penalties.

- A. Notwithstanding any other provision of this Chapter, it is unlawful for any person, with actual or constructive knowledge of the issuance of a stop work order pursuant to Section 20F.10.050 of the Community Development Guide, to construct or do the work prohibited by the order, or to permit or allow the same to be done, until the Code Compliance Officer, Code Administrator, Public Works Director or their designees have removed or lifted the order and issued a written authorization for the activity or work to be continued. The Code Compliance Officer, Code Administrator, Public Works Director or their designees may immediately seek issuance of a citation where there is a violation of a stop work order. Any violator of a stop work order may be subject to arrest. Violation of a stop work order shall be a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$5,000 and/or imprisonment for not more than one year. Each day or part thereof during which any violation is committed

or permitted shall constitute a separate offense.

- B. Violation of a cease and desist order issued by the violations hearing examiner after conducting a hearing on a notice of violation, served in the manner required by Section 1.14.060 shall be a misdemeanor punishable by a fine not to exceed \$1,000 for each day of violation. Criminal complaints charging violation of a cease and desist order shall be filed by the city attorney in the Northeast District Court.

Section 4. Section 1.14.080 of the Redmond Municipal Code is hereby amended to read as follows:

1.14.080 Applicability. (a) This chapter shall apply to the following ordinances and regulations of the city, unless otherwise indicated:

- (1) Community Development Guide: Section 20C.10 Zoning District; Section 20C.20 General Regulations; Section 20E Building and Construction Codes; Section 20F Administration and Procedures;
- (2) Health and Sanitation, Title 6, Redmond Municipal Code (except RMC 6.26.040);
- (3) Animal Control, Title 7, Redmond Municipal Code;
- (4) Streets and Sidewalks, Title 12, Redmond Municipal Code;
- (5) Water and Sewer, Title 13, Redmond Municipal Code;
- (6) Buildings and Construction, Title 15, Redmond Municipal Code;

Section 5. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or

unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 6. This ordinance, being an exercise of a power specifically delegated to the City legislative body, is not subject to referendum, and shall take effect five (5) days after passage and publication of the ordinance or a summary thereof consisting of the title.

APPROVED:


MAYOR, DOREEN MARCHIONE

ATTEST/AUTHENTICATED:


CITY CLERK, DORIS SCHAIBLE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 

FILED WITH THE CITY CLERK:	9-13-90
PASSED BY THE CITY COUNCIL:	9-18-90
PUBLISHED:	9-23-90
EFFECTIVE DATE:	9-28-90
ORDINANCE NO. <u>1586</u>	