

0020.040.004
DLF/srf/lfs
07/19/95
R:07/25/95lfs
R:08/10/95srf

DGA95-008, Removal &
Violation of Stop Work Orders

ORIGINAL

ORDINANCE NO. 1872

AN ORDINANCE OF THE CITY OF REDMOND, WASHINGTON, AMENDING SECTION 1.14.070 OF THE REDMOND MUNICIPAL CODE AND SECTIONS 20E.10.060 AND 20F.10.050 OF THE REDMOND COMMUNITY DEVELOPMENT GUIDE, AND ADDING NEW SUBSECTIONS TO SECTION 20F.10.050 OF THE REDMOND COMMUNITY DEVELOPMENT GUIDE AND SECTION 1.14.070 OF THE REDMOND MUNICIPAL CODE, REGARDING THE ENFORCEMENT OF STOP WORK ORDERS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Redmond is mandated by the State of Washington to enforce the Uniform Building Code, and the City has adopted the Uniform Building Code in Chapter 20E.10 of the Redmond Community Development Guide, and

WHEREAS, the Uniform Building Code and Section 20F.10.050 of the Community Development Guide prohibits a person's continued construction, or improvement, of a building in violation of a stop work order, but it is unclear what the penalties are for said violation, and

WHEREAS, the City Council of the City of Redmond desires to enforce its stop work orders and criminalize the act of defacing, destroying or removing stop work orders, and acknowledges that this enforcement is for the benefit of the public health, safety, and welfare, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF REDMOND, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 20E.10.060 of the Redmond Community Development Guide
is hereby amended to read as follows:

20E.10.060 PENALTIES FOR VIOLATIONS

Any person violating any of the provisions of this chapter and Section 205 of the Uniform Building Code shall be punished as provided in Sections 1.01.110 of the Redmond Municipal Code. Violations of stop work orders as authorized by Section 20F.10.050 shall be punished as provided in Section 1.14.070 of the Redmond Municipal Code.

Section 2. Subsection A of Section 1.14.070 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 issued 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, or to remove or deface said order, 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 if the violation is committed in the presence of an officer per RCW 10.31.100. Violation of a stop work order shall be a gross 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.

Section 3. A new subsection entitled "Penalties - Stop Work Order Violations"

is hereby added to 20F.10.050 to read as follows:

20F.10.050(65) Penalties - Stop Work Order Violations.

Any person violating a Stop Work Order pursuant to Sections 20F.10.050(030) of the Community Development Guide or 1.14.070 of the Redmond Municipal Code shall be punished as provided in Section 1.14.070 of the Redmond Municipal Code.

Section 4. Severability. 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 5. Effective Date. This ordinance, being a delegated action, is not subject to referendum and shall take effect five (5) days after publication of an approved summary thereof consisting of the title.

CITY OF REDMOND

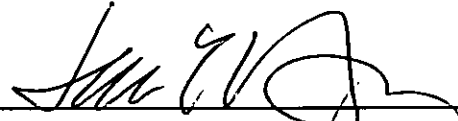


MAYOR ROSEMARIE IVES

ATTEST/AUTHENTICATED:

Bonnie Mattson
CITY CLERK, BONNIE MATTSON

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By:  _____

FILED WITH THE CITY CLERK:	January 11, 1996
PASSED BY THE CITY COUNCIL:	January 16, 1996
SIGNED BY THE MAYOR:	January 16, 1996
PUBLISHED:	January 24, 1996
EFFECTIVE DATE:	January 29, 1996
ORDINANCE NO. <u>1872</u>	

