

ASSOCIATION OF WASHINGTON CITIES MUNICIPAL ACHIEVEMENT AWARD 1998

CITY OF LAKEWOOD CODE ENFORCEMENT PROGRAM

Submitted by David Bugher, Community Development Director
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(253) 512-2261

Code Enforcement - What is It?

The City of Lakewood has a unique and proactive Code Enforcement Program. The Program is a division within the City's Community Development Department, and consists of three full-time Code Enforcement Officers. The officers possess limited, special police commissions to issue notices of infraction and criminal citations for violations of City code provisions. Officers emphasize the enforcement of business licensing, public nuisances, graffiti removal, junk vehicles and vehicle storage, property maintenance, litter control, overgrown vegetation, and zoning and sign regulations. The Program is designed to handle a significant case load in a prompt and judicious manner. Code Enforcement Officers perform over 4,000 investigations and follow-up site visits annually. Code enforcement activities have been in place since Lakewood incorporated in 1996.

Why did Lakewood, as a new City, emphasize Code Enforcement?

During the incorporation process, many residents had expressed concern with the deterioration of the quality of life that was once enjoyed within the Lakewood community. There were common threads of discontent on such subjects as property maintenance, junk vehicles and vehicle storage, the visual clutter caused by the uncontrolled proliferation of signs, and the general lack of zoning compliance.

Upon incorporation and the election of a City Council, newly elected officials chose to establish a policy of not only adopting, but proactively enforcing new City codes. Decision makers wanted to send a clear message that it was now time to deal with a legacy of neglect. Code enforcement was viewed as a cost effective manner to rebuild neighborhoods and initiate revitalization of rundown commercial areas.

What Types of Enforcement Action Have Taken Place?

The Program has evolved as the City has matured. The first order of business was to tackle the proliferation of temporary signs - A-frames, banners, and posters strewn throughout the community. With about 25 community volunteers, literally thousands of temporary signs were removed from street rights-of-way, and utility poles. Following the initial sweep for temporary signs, Code Enforcement Officers then tackled abandoned signs, permanent signs located in street rights-of-way, and off-premise signs. Hundreds of signs were taken down during this effort. Within a period of three months from the date of incorporation, there was a notable difference in the appearance of the community.

Thereafter, Code Enforcement Officers began enforcement of junk vehicles. Nearly 1,600 vehicles were removed from private property and street rights-of-way within the first year of incorporation. In 1997, Code Enforcement Officers, with the assistance of the Police Department, removed another 1,800 junk vehicles. Aggressive efforts continue to remove junk vehicles from streets and private properties.

Concurrently, Lakewood initiated enforcement of business licensing regulations. Lakewood has numerous adult entertainment establishments, in particular massage businesses. Code Enforcement Officers frequently checked the registration of attendants, and massage therapists. As a result of such actions, business owners were cited for various violations, and now two of the massage businesses are closed.

An illegal modeling agency, which turned out to be a cover for prostitution, was also closed for numerous zoning, building, and business licensing violations. With the assistance of the Lakewood Police and Finance Departments, an amusement center where the business owner openly permitted patrons to receive stolen goods and to engage in drug sales, was closed for business license violations. Code Enforcement Officers have also assisted the City Attorney's Office in gathering licensing data on businesses allegedly engaged in the sale of counterfeit clothing and other merchandise.

Code enforcement activities, of late, have focused on neighborhood sweeps, and solving long-standing land use and zoning violations. Community education is another area where Code Enforcement Officers are beginning to concentrate its future efforts.

How Does the Program Work?

A Procedures Manual has been prepared which emphasizes the processing of complaints on a 28-day calendar. A complaint may originate from a citizen or may be self-initiated by a Code Enforcement Officer. Anonymous citizen complaints are accepted.

The system provides six steps from start to finish:

- Receipt and initial processing of the complaint;
- On-site investigation;
- Issuance of a warning notice and thereafter, voluntary correction of the violation;
- If the property owner requests additional time, the property owner completes a compliance agreement;
- A second on-site investigation is performed to determine whether or not the property owner has removed the violation;

- If the violation is removed, the case is closed. If it is not, a citation, which is transmitted by certified mail, is issued to the property owner.

If corrections are not made within the specified time frame, a recommendation is forwarded to the prosecuting attorney's office along with the case file. If there are extenuating circumstances, Code Enforcement Officers do permit extensions beyond the 28-day calendar, but such extensions are exceptions and not the rule. In 1997, 94% of all cases were closed using voluntary compliance to remedy the violation.

How Much Does Such a Program Cost?

Annual costs of the program are about \$315,000. This amount includes expenditures from Community Development, the City Attorney's Office, and Court Administration. The cost of the program comes to \$5.00 per capita annually. There is also an initial capital investment in vehicles. Vehicle costs vary depending on whether the vehicle is new or used. In Lakewood's case, total vehicle costs were under \$30,000. The Code Enforcement vehicle fleet consists of one sedan and two pick-up trucks.

How has Lakewood Benefited from this Program?

An active Code Enforcement Program has been a cost effective tool in removing blight and neglect, helping to maintain and enhance property values, and instilling a sense of community pride. For a new City, the Program can swiftly assist in stabilizing deteriorating neighborhoods. The Program has only been in effect for two years, and as a result of its actions, for the first time, the City is beginning to see signs of reinvestment in areas where there had been little development activity.

Citizens seem more positive about their community. Long neglected eyesores are being removed, with dispatch. The community is cleaner. Citizens seem more apt to care for both public and private properties. Littering is not as significant a problem as it had been.

The program has increased public confidence in local government institutions. Many times, governments pass laws, but do not provide the resources for adequate enforcement. Citizens, thereafter, become frustrated when long-standing issues, which were thought to have been addressed, remain. That has not been the case in Lakewood. There is a stronger sense that the new City is more accountable to its citizens.

Further, Code Enforcement more efficiently utilizes City expenditures. Rather than have a Police Officer investigate property maintenance or similar types of violations, Code Enforcement Officers can perform this function at a lower per unit cost. Per capita costs for code enforcement are \$5.00, while per capita costs for police services are in excess of \$150.00. Moreover, Police Officers can spend more time investigating more serious violations, thereby having a positive affect in diminishing criminal activity.



Dear Owner/Resident:

The City of Lakewood is committed to maintaining quality neighborhoods and an excellent community environment. Our citizens expect us to do everything we can in this regard.

An **INVESTIGATION** is being conducted at your property. This investigation has revealed violations of the Lakewood Municipal Code (LMC).

The attached sheet categorizes your violations and copies of the codes are provided for your review as an educational package to assist you in achieving compliance and preventing future violations.

Violations are required to be eliminated within twenty four hours to fourteen days depending upon violations. By completing a "Compliance Agreement" an additional two weeks may be granted depending on health and safety.

You must contact the investigating officer immediately upon receipt of this letter to demonstrate cooperation to eliminate these violations. The enclosed "Compliance Agreement" must be completed and returned immediately to ensure additional time for compliance. We hope you will work with us to maintain a positive community environment. Your cooperation will be greatly appreciated.

Please contact the investigating officer at 253-512-2261 ext. 132 between 8-10 am Monday through Thursday. Please leave a voice mail if the officer is not able to take your call. Your address, a return phone number, the best date and time to contact you is necessary. This matter will be forwarded to the City Legal Department, Municipal Court and other necessary agencies for Civil and/or Criminal Prosecution if compliance is not achieved.

Sincerely,

Jim Howe
Investigating Officer

Bill Harrison
Mayor

Dr. Claudia Thomas
Deputy Mayor

Ann Kirk Davis
Councilmember

Sherri K. Thomas
Councilmember

José Paimas
Councilmember

Doug Richardson
Councilmember

Lawrence H. Humphrey
Councilmember

D. Scott Rohlfis
City Manager

Andrew E. Neiditz
Deputy City Manager

Daniel B. Heid
City Attorney

Galen Kidd
Finance &
Systems Director

Alice M. Bush, CMC
General Services Director
City Clerk

COMPLIANCE AGREEMENT

full name; first, middle, last	date of birth		
residing address Street, City, State, Zip, Phone Number			
property where violation exists Street, City, State, Zip, Phone Number			
condition requiring correction; check all that apply <input type="checkbox"/> 8.16 Nuisances <input type="checkbox"/> 8.40 Property Maintenance <input type="checkbox"/> 8.24 Vehicle-Junk/Storage <input type="checkbox"/> 13.06 Garbage <input type="checkbox"/> 8.52 Vegetation <input type="checkbox"/> 18.XX Zoning			
corrective measures; check all that apply <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> 8.16 Nuisances <input type="checkbox"/> Secure Hazard <input type="checkbox"/> Legal Disposal <input type="checkbox"/> Demolish Structure (attain permit) <input type="checkbox"/> Remove/Trim Vegetation <input type="checkbox"/> Exterminate Rodents/Stinging Insects </td> <td style="width: 50%; vertical-align: top;"> 8.40 Property Maintenance <input type="checkbox"/> Legal Disposal <input type="checkbox"/> Enclose from View Public/Neighbors 8.52 Vegetation <input type="checkbox"/> Remove/Dispose <input type="checkbox"/> Trim/Dispose Hazardous 18.XX Zoning <input type="checkbox"/> Details with investigator </td> </tr> </table> 8.24 Vehicle-Junk/Storage <input type="checkbox"/> License, Insure, Operable <input type="checkbox"/> Enclose in Building <input type="checkbox"/> Remove from Property <input type="checkbox"/> Recreational Vehicles Legally Parked/Stored		8.16 Nuisances <input type="checkbox"/> Secure Hazard <input type="checkbox"/> Legal Disposal <input type="checkbox"/> Demolish Structure (attain permit) <input type="checkbox"/> Remove/Trim Vegetation <input type="checkbox"/> Exterminate Rodents/Stinging Insects	8.40 Property Maintenance <input type="checkbox"/> Legal Disposal <input type="checkbox"/> Enclose from View Public/Neighbors 8.52 Vegetation <input type="checkbox"/> Remove/Dispose <input type="checkbox"/> Trim/Dispose Hazardous 18.XX Zoning <input type="checkbox"/> Details with investigator
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AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) _____, 19_____.

The undersigned agrees to allow the City to inspect the premises as necessary to determine compliance with this agreement.

This Agreement shall be interpreted in accordance with the laws of the State of Washington.

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of this Agreement.

Failure to comply with the agreement deadline will result in prosecution for Violations of the Lakewood Municipal Codes.

This form must be filled out completely to be valid.

Signature: _____, date _____, accepting responsibility for compliance.

TITLE 8
HEALTH AND SAFETY

Chapter 8.16
Public Nuisances

8.16.010 Nuisances Affecting Public Health.

The following specific acts, omissions, places, conditions and things are declared to be nuisances: the erecting, maintaining, using, placing, depositing, causing, allowing, leaving, or permitting to be or remain in or upon any private lot, building, structure, or premises, or in or upon any street, avenue, alley, park, parkway, or other public or private place in the City, any one or more of the following places, conditions, things or acts to the prejudice, danger, or annoyance of others:

- A. Privies, vaults, cesspools, sumps, pits, wells or cisterns or like places which are not securely protected from flies or rats;
- B. Filthy, littered or trash-covered premises, including all buildings and structures thereon and areas adjacent thereto;
- C. Tin cans, bottles, glass, cans, ashes, small pieces of scrap iron, wire, metal, articles, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster and all other trash or abandoned material unless the same are kept in covered bins or metal receptacles approved by the City, provided that any such receptacles approved by the Pierce County Health Officer or designee shall be deemed approved by the City;
- D. Trash, litter, rags, debris, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw, or other packing material, lumber not neatly piled, scrap iron, tin and other metal not neatly piled which provides harborage for rodents, or other pests;
- E. Any unsightly and dangerous building, billboard or structure;
- F. All places used or maintained as junk-yards or dumping grounds, or for the wrecking, disassembling, repair or rebuilding of automobiles, trucks, tractors or machinery of any kind, or for the storing or leaving of worn out wrecked or abandoned automobiles, trucks, tractors or machinery of any kind or of any of the parts thereof, or for the storing or leaving of any machinery or equipment used by contractors or builders or by other persons, which places are kept or maintained so as to provide harborage for rodents excluding properly zoned and licensed wrecking yards, junk-yards or machinery being used;
- G. Garbage disposed of in any manner other than provided in the Sanitary Code;
- H. Garbage cans which are not impervious to rodent gnawing or do not have tight-fitting lids;
- I. Any putrid, unsound or unwholesome bones, meat, hides, skins or the whole or any part of any dead animal, fish or fowl, butchers' trimmings or offal, or any waste vegetable or animal matter in any quantity, garbage human excreta or other offensive substance; provided, nothing in this Subsection shall prevent the temporary retention of waste in a manner approved by the City Manager;
- J. Blackberry vines or any tall grass or weeds over two feet in height which is rodent infested;
- K. Grass clippings, cut brush or cut weeds which may create a fly or rodent harborage;
- L. Nests, colonies, hives or apiaries of bees, Africanized honey bees, yellow jacket, hornets or wasps which are not in full compliance with Chapter 15.60 RCW or Chapter 16-602 WAC; and,
- M. Any accumulation of combustible, explosive or flammable substances which are stored in a way that poses a threat or danger to life or property. (Ord. 32 § 1, 1996.)

8.16.020 Yard Maintenance.

Every occupant of a dwelling unit located in the City shall keep the yard space thereof reasonably neat and clean and free of uncut grass, weeds, blackberry vines, bushes and debris, so as to prevent rodent, insect or other pest infestation, and so as to prevent a fire hazard. (Ord. 32 § 2, 1996.)

8.16.030 Vacant Lot or Building.

Every owner of a vacant lot or building located in close proximity to another occupied dwelling unit shall keep the premises reasonably neat and clean and free of uncut grass, weeds, blackberry vines, bushes and debris, so as to prevent rodent, insect or other pest infestation, and so as to prevent a fire hazard. (Ord. 32 § 3, 1996.)

TITLE 8
HEALTH AND SAFETY

Chapter 8.24
Junk Vehicles

I. JUNK VEHICLES

8.24.010 Declaration of junk vehicles as nuisance.

Junk motor vehicles in areas not zoned for storage of junk or scrap metal are hereby declared a public nuisance subject to abatement and removal. (Ord. 39 § 1 (part), 1996.)

8.24.020 Definition of junk vehicle.

"Junk vehicle" means a motor vehicle that has been certified as meeting all of the following requirements:

- A. Is extensively damaged, such damage including but not limited to any of the following: a broken window or windshield or missing wheels, tires, motor or transmission;
- B. Is apparently inoperable;
- C. Is without valid, current license plates or certificate of registration. (Ord. 39 § 1 (part), 1996.)

8.24.040 Junk vehicle violations.

It shall be unlawful to park, store or abandon junk vehicles on private property, subject only to the exceptions provided in Section 8.24.050. Such a violation shall be deemed a nuisance subject to abatement. (Ord. 39 § 1 (part), 1996.)

8.24.050 Exceptions.

The provisions of this Chapter relating to junk vehicles shall not apply to a vehicle or part thereof which: (1) is not visible from the street or other public or private property; or (2) is stored or parked in a lawful manner on fenced private property in connection with the business of a licensed hulk hauler, tow truck operator, dismantler, repair facility, or motor vehicle dealer and is fenced. (Ord. 39 § 1 (part), 1996.)

**TITLE 8
HEALTH AND SAFETY**

**Chapter 8.40
Property Maintenance**

8.40.010 Definitions.

The definitions set forth herein shall apply to this chapter:

- A. Junk. "Junk" means discarded, broken or disabled material including, but not limited to: furniture; appliances; toys; or other items that are not in functioning condition.
- B. Litter. "Litter" means discarded waste materials, including but not limited to: paper wrappings; packaging materials; discarded or used bottles; and discarded or used cans.
- C. Owner. "Owner" means any person owning property, as shown on the real property records of Pierce County or on the last assessment role for taxes, and shall also mean any lessee, tenant or other person having control or possession of the property.
- D. Property. "Property" means land and any buildings or structures located thereon.
- E. Trash. "Trash" means waste food products and other household garbage. (Ord. 46 § 1 (part), 1996.)

8.40.020 Duty to maintain property.

No person owning, leasing, renting, occupying, being in possession or having charge of any property in the City, including vacant lots, shall maintain or allow to be maintained on such property, except as may be permitted by any other City Ordinance, any of the following conditions visible from any public street or alley, or from any other private property:

- A. Junk, trash, litter, boxes, discarded lumber, salvage materials, or other similar materials in any front yard, side yard, rear yard or vacant lot;
- B. Attractive nuisances dangerous to children, including but not limited to abandoned, broken or neglected equipment, machinery, refrigerators and freezers, excavations, wells or shafts;
- C. Broken or discarded furniture, household equipment and furnishings in any front yard, side yard, rear yard or vacant lot;
- D. Shopping carts in any front yard, side yard, rear yard or vacant lot of any property;
- E. Dead, decayed, diseased or hazardous trees, or any other vegetation to include a majority of vegetation (other than vegetation located in flower beds, or trees or shrubbery) which is dangerous to public health, safety and welfare, located in any front yard, side yard, rear yard, or upon any vacant lot;
- F. Vehicle parts or other articles of personal property which are discarded or left in a state of partial construction or repair in any front yard, side yard, rear yard or vacant lot;
- G. Vehicles or vehicle bodies which are up on blocks and have not been moved for a period of 30 days;
- H. Utility trailers or unmounted camper tops located in any front yard except in the driveway;
- I. Any accumulation of weeds, brambles, berry vines, or other vegetation which is over-growing any structure, or any accumulation of junk, litter, trash, dead organic matter, debris, offal, rat harborages, stagnant water, combustible materials and similar materials or conditions constituting fire, health or safety hazard;
- J. Dilapidation or state of filthiness or uncleanness of any dwelling or other structure which endangers health or life or which permits entrance by rats, mice or other rodents. (Ord. 46 § 1 (part), 1996.)

8.40.030 Declaration of public nuisance.

Any property found to be maintained in violation of Section 8.40.020 is hereby declared to be a public nuisance and shall be abated by rehabilitation, removal, trimming, demolition or repair. (Ord. 46 § 1 (part), 1996.)

PS. 7.4150



ENFORCEMENT WARNING

CIVIL INFRACTION

CRIMINAL VIOLATION

LOCATION OF VIOLATIONS					
NAME:		LAST	FIRST	INITIAL	
ADDRESS				DOB	
CITY	STATE	ZIP CODE		PHONE NO.	
NAME:		LAST	FIRST	INITIAL	
ADDRESS				DOB	
CITY	STATE	ZIP CODE		PHONE NO.	
VIOLATION DATE ON OR ABOUT			MONTH	DAY	YEAR
					TIME 24 HOUR
1. VIOLATION/STATUTE CODE					
2. VIOLATION/STATUTE CODE					
<p><u>THIS IS A WARNING:</u> Correction must be made no later than _____, to avoid further legal action.</p> <p><input type="checkbox"/> CIVIL INFRACTION: IF THE INFRACTION(S) IS/ARE NOT CORRECTED, A CITATION WILL BE ISSUED BY THE ENFORCEMENT OFFICER(S) AND FINES UP TO \$500.00 PER VIOLATION MAY BE ASSESSED FOR EACH DAY THE INFRACTIONS REMAIN.</p> <p><input type="checkbox"/> CRIMINAL VIOLATION: IF THE VIOLATION(S) IS/ARE NOT CORRECTED, CRIMINAL CHARGES WILL BE FILED AND YOU ARE SUBJECT TO FINES, AND/OR IMPRISONMENT.</p> <p>Enforcement Officer : _____ Date: ___/___/___</p>					