



September 17, 2015

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is an ordinance creating Chapter 5.32 of the Moses Lake Municipal Code entitled "Yard Sales and Garage Sales". This ordinance establishes regulations for yard and garage sales.

The ordinance is presented for Council consideration. This is the first reading of the ordinance.

Respectfully submitted

Gilbert Alvarado  
Interim City Manager

GA:jt

ORDINANCE NO.

AN ORDINANCE CREATING CHAPTER 5.32 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "YARD SALES AND GARAGE SALES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON DO ORDAIN AS FOLLOWS:

Section 1. A new Chapter 5.32 of the Moses Lake Municipal code entitled "Yard Sales and Garage Sales" is adopted as follows

5.32.010 Definitions:

- A. "Person" means any individual, household, group, family, entity or association.
- B. "Secondhand dealer" means any person or group who conducts a sale of tangible items of used personal property accumulated or acquired from others for the purpose of resale, and who is not a pawn broker or junk dealer licensed by the City. Regardless of the location of the sales, any person or group who conducts sales more frequently than described in Section 5.32.040 shall be deemed to be a secondhand dealer engaged in business for the purposes of this chapter.
- C. "Sign" means an advertisement for the purpose of attracting public attention or patronage to a yard sale.
- D. "Yard sale" shall mean any sale of used household goods or other items of tangible personal property including, but not limited to, all sales entitled "garage," "lawn," "porch," "flea market", "estate", "rummage" or "moving" sale and held on the front or back lawn of a house, out of a garage, or on a vacant lot or on other property within the City.

5.32.020 Restrictions Upon Advertising Yard Sales:

- A. It shall be unlawful for any person who conducts a yard sale to advertise such sale by posting, placing or in any manner displaying a sign on any utility pole or within any public right-of-way (street or sidewalk) or on any traffic sign or water hydrant or upon property owned by the City.
- B. Signs must be freestanding (A-frame, sandwich board, etc.), and may not be affixed to any public structures, utility poles, traffic control devices or trees, and may not obstruct vehicular or pedestrian movement or visibility, or pose a safety hazard. Signs posted on private property must have the owner's permission. Yard sale signs shall not be posted more than forty-eight (48) hours prior to the time of the sale and shall be removed within six (6) hours after the close of the sale.
- C. Signs displayed in violation of these regulations may be confiscated by the City of Moses Lake, and/or the person responsible for the violation may be cited.

5.32.030 Permit Required: No yard sale may be conducted without a valid permit previously issued by the City. No permit may be issued except after written application has been submitted to the City, which shall include the true name of the applicant and the date(s) and proposed location of the sale. No fee shall be charged for the application or the permit. All permits shall be issued in writing on a form that includes a notice that signs advertising the sale shall not be attached to any utility pole or placed within any public right-of-way (street or sidewalk), or on any traffic sign or water hydrant, and that all such signs must be removed within six (6) hours after the last day of the permitted sale. The permit shall also give notice of the maximum penalty for each violation of the yard sale ordinances set forth in this chapter. A copy of this chapter shall be attached to each permit. Said permit must be conspicuously displayed at the sale site at all times during the sale. All permits shall be nontransferable .

5.32.040 Restrictions on Yard Sales:

- A. No person or parcel shall conduct more than three (3) yard sales each calendar year. No such sale shall last more than three (3) successive days, and each yard sale shall be held at least thirty (30) days apart. No such sale shall commence sooner than 8:00 a.m. or terminate later than 8:00 p.m. each day of the sale.
- B. Yard sales permitted by this chapter shall be conducted in an orderly manner and shall not constitute a public nuisance or hazard to persons or property. All debris from any yard sale must be removed from any public property or right-of-way immediately following the sale.
- C. All merchandise offered for sale at a yard sale shall be arranged so that fire, police, health or other officials may have access for inspection at all times during the sale.
- D. No individual or group shall engage in business as a secondhand dealer in the City unless that individual is the holder of a valid and current license issued by the City. All sales by secondhand dealers must take place on properly zoned property.
- E. Goods or merchandise offered for sale at such sales must consist of goods or merchandise owned by the individual(s) conducting the sales, and shall be of a type and quantity usually found within a residential setting. No goods or merchandise may be brought to and/or sold from the site of such sales which have been purchased or acquired from another source for the purpose of resale at the site of such sales event. Conducting business as a secondhand dealer for the resale of new or used goods or merchandise on a residential premises is a violation of this chapter. All goods or merchandise shall not be visible from the street forty-eight (48) hours after the end of the sale. Goods displayed at any such sale shall not be displayed in the public right-of-way.

5.32.050 Violation - Penalty:

- A. Failure to perform any act required by this chapter, or the performance of any act prohibited by this chapter, is designated as a civil infraction.
- B. Any violation of this chapter shall be punishable as follows:
  - 1. On the first offense, by a written warning, no fine shall be levied;
  - 2. Upon second and subsequent offenses, by a fine not to exceed three hundred dollars (\$300) for each offense.
  - 3. Each day of violation hereof may be considered a separate offense.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on

\_\_\_\_\_  
Dick Deane, Mayor

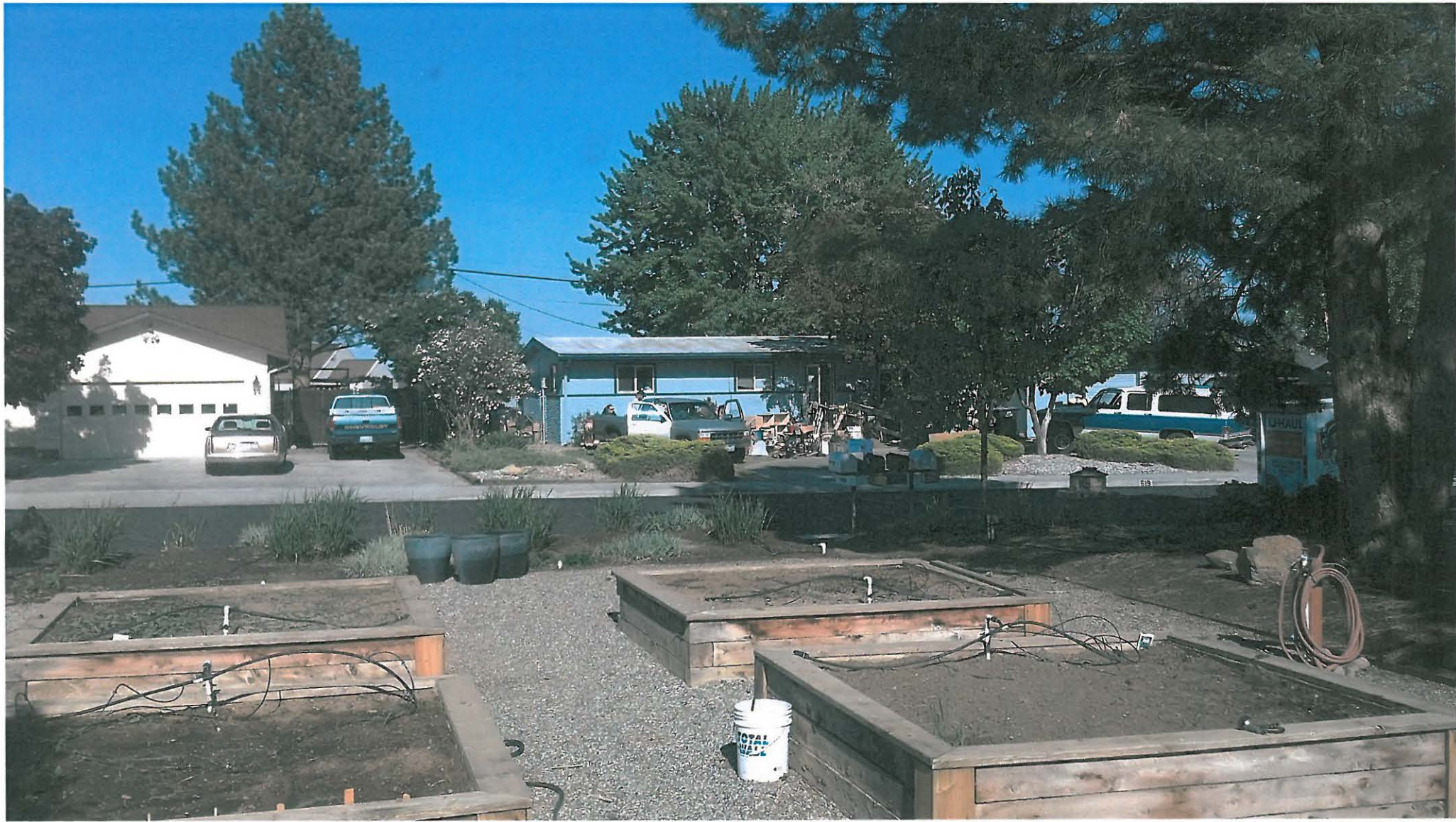
ATTEST:

\_\_\_\_\_  
W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Katherine L. Kenison, City Attorney



































**ORDINANCE NO. 2015 -**

**AN ORDINANCE ADOPTING A NEW CHAPTER 5.32 OF THE  
MATTAWA MUNICIPAL CODE TITLED “YARD SALES AND GARAGE  
SALES”**

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

**Section 1.** A new Chapter 5.32 of the Mattawa Municipal code titled “Yard Sales and  
Garage Sales” is adopted as follows

**Chapter 5.32  
YARD SALES AND GARAGE SALES**

**Sections:**

- 5.32.010 Definitions.**
- 5.32.020 Restrictions upon advertising yard sales.**
- 5.32.030 Permit required.**
- 5.32.040 Restrictions yard sales.**
- 5.32.050 Violation – Penalty.**

**5.32.010 Definitions.**

“Person” means any individual, household, group, family, entity or association.

“Secondhand dealer” means any person or group who conducts a sale of tangible items of used personal property accumulated or acquired from others for the purpose of resale, and who is not a pawn broker or junk dealer licensed by the town. Regardless of the location of the sales, any person or group who conducts sales more frequently than described in Section 5.32.040 shall be deemed to be a secondhand dealer engaged in business for the purposes of this chapter.

“Sign” means an advertisement for the purpose of attracting public attention or patronage to a yard sale.

“Yard sale” shall mean any sale of used household goods or other items of tangible personal property including, but not limited to, all sales entitled “garage,” “lawn,” “porch,” “flea market”, “estate”, “rummage” or “moving” sale and held on the front or back lawn of a house, out of a garage, or on a vacant lot or on other property within the city.

**5.32.020 Restrictions upon advertising yard sales.**

A. It shall be unlawful for any person who conducts a yard sale to advertise such sale by posting, placing or in any manner displaying a sign on any utility pole or within any public right-of-way (street or sidewalk) or on any traffic sign or water hydrant or upon property owned by the city.

B. Signs must be freestanding (A-frame, sandwich board, etc.), and may not be affixed to any public structures, utility poles, traffic control devices or trees, and may not obstruct vehicular or pedestrian movement or visibility, or pose a safety hazard. Signs posted on private property must have the owner's permission. Yard sale signs shall not be posted more than 48 hours prior to the time of the sale and shall be removed within six hours after the close of the sale.

C. Signs displayed in violation of these regulations may be confiscated by the city of Mattawa, and/or the person responsible for the violation may be cited.

#### **5.32.030 Permit required.**

No yard sale may be conducted without a valid permit previously issued by the city. No permit may be issued except after written application has been submitted to the city, which shall include the true name of the applicant and the date(s) and proposed location of the sale. No fee shall be charged for the application or the permit. All permits shall be issued in writing on a form that includes, in English and in Spanish, a notice that signs advertising the sale shall not be attached to any utility pole or placed within any public right-of-way (street or sidewalk), or on any traffic sign or water hydrant, and that all such signs must be removed within 6 hours after the last day of the permitted sale. The permit shall also give notice of the maximum penalty for each violation of the yard sale ordinances set forth in this chapter. A copy of this chapter shall be attached to each permit. Said permit must be conspicuously displayed at the sale site at all times during the sale. All permits shall be nontransferable .

#### **5.32.040 Restrictions on yard sales.**

No person or parcel shall conduct more than three yard sales each calendar year. No such sale shall last more than three successive days, and each yard sale shall be held at least thirty days apart. No such sale shall commence sooner than 8:00 a.m. or terminate later than 8:00 p.m. each day of the sale.

Yard sales permitted by this chapter shall be conducted in an orderly manner and shall not constitute a public nuisance or hazard to persons or property. All debris from any yard sale must be removed from any public property or right-of-way immediately following the sale.

All merchandise offered for sale at a yard sale shall be arranged so that fire, police, health or other officials may have access for inspection at all times during the sale.

No individual or group shall engage in business as a secondhand dealer in the city unless that individual is the holder of a valid and current license issued by the city. All sales by secondhand dealers must take place on properly zoned property.



Goods or merchandise offered for sale at such sales must consist of goods or merchandise owned by the individual(s) conducting the sales, and shall be of a type and quantity usually found within a residential setting. No goods or merchandise may be brought to and/or sold from the site of such sales which have been purchased or acquired from another source for the purpose of resale at the site of such sales event. Conducting business as a secondhand dealer for the resale of new or used goods or merchandise on a residential premises is a violation of this chapter. All goods or merchandise shall not be visible from the street 48 hours after the end of the sale. Goods displayed at any such sale shall not be displayed in the public right-of-way.

**5.32.050 Violation – Penalty.**

Failure to perform any act required by this chapter, or the performance of any act prohibited by this chapter, is designated as a civil infraction.

Any violation of this chapter shall be punishable as follows:

- (a) On the first offense, by a written warning, no fine shall be levied;
- (b) Upon second and subsequent offenses, by a fine not to exceed three hundred dollars for each offense.
- (c) Each day of violation hereof may be considered a separate offense.

**Section 2.** This ordinance shall be in full force and effect five days after its passage and publication as provided by law.

PASSED by the City Council of the City of Mattawa, Washington, this \_\_\_ day of June, 2015.

\_\_\_\_\_  
Scott Hyndman, Mayor

ATTEST:

\_\_\_\_\_  
Robin Newcomb, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Katherine L. Kenison, City Attorney

PASSED the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

PUBLISHED the \_\_\_\_\_ day of \_\_\_\_\_, 2015.



September 16, 2015

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached for Council consideration is an ordinance which amends Chapter 18.57 of the Moses Lake Municipal Code entitled "Landscaping". The proposed changes encourage the use of drought tolerant plants and native and naturalized plant species as well as non-living items.

The Planning Commission has recommended that the ordinance be adopted.

The ordinance is presented for Council consideration. This is the first reading of the ordinance.

Respectfully submitted

Gilbert Alvarado  
Interim City Manager

GA:jt



ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 18.57 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "LANDSCAPING"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 18.57 of the Moses Lake Municipal Code entitled "Landscaping" is amended as follows:

18.57.030 General Requirements: All required landscaped areas shall comply with the following:

- A. Landscaping shall be vegetative and consist of combinations of trees, shrubs, and ground cover. Non-living natural features may also be incorporated.
- B. Required landscape plantings shall be suited to the climate, location, and physical conditions of the site. The use of drought-tolerant species is encouraged to reduce irrigation and maintenance demands. See MLMC 18.57.055 G Drought Tolerant Landscaping
- C. All landscaped areas shall be graded to prevent erosion and to facilitate the installation, growth, and maintenance of the landscaping. All turf areas located in public right-of-ways shall have a grade of no greater than 4(h):1(v).
- D. Trees and shrubs shall be chosen and located to avoid interference with underground and overhead utility lines or public improvements.
- E. Landscaping shall be designed to insure adequate visibility and safety of vehicular traffic, bicyclists, pedestrians, and other users, on and off the proposed site. Height and/or spacing of landscaping may be modified to accommodate sight distances.
- F. Other than a fence around an individual one-or two-family dwelling, all fences shall be placed on the inward side of any required perimeter landscaping.
- G. To protect against the possibility of all trees in one project being destroyed by disease or pests, a mix of tree species shall be provided in accordance with the following table:

Required Number of Trees	Minimum Number of Species	Maximum Percent of Any One Species
11-20	2	55
21-30	3	35
31-40	4	27
41+	5	22

- H. Minimum Plant Sizes at Installation: See Table in MLMC 18.57.055.
- I. No disturbed ground shall be left exposed. Groundcover or mulch shall cover all disturbed areas that are not built upon or paved.
- J. If approved by the city, required street frontage landscaping may be placed in city right-of-way. This area shall be maintained by the owner of the property that abuts the right-of-way. The city and other public services shall have the right to remove landscaping placed on city right-of-way for repair, replacement, or installation of utility services. The city will not accept liability for damages to said landscaping from future street expansion, meter reading, or utility installation, inspection, or repair.
- K. All required landscaping shall be served by irrigation systems appropriate for the plants.

- L. The incorporation of existing vegetation, especially healthy trees, is strongly encouraged. Where existing trees and associated vegetation serve the same or similar function as the required landscaping, they may substitute for the required landscaping, provided trees are healthy and appropriate for the site at mature size. When necessary, existing vegetation shall be supplemented with new plantings to accomplish the specific intent and purpose of this chapter.
- M. Landscape requirements contained in this chapter are minimums. Additional landscaping is encouraged.
- N. Areas within two hundred feet (200') of the shoreline or associated wetlands are subject to the State of Washington Shoreline Management Act and the City of Moses Lake Shoreline Master Program.
- O. In the event of a conflict between the content of this chapter and other regulations, the more restrictive regulations shall apply.
- P. Landscaping may be included within stormwater facilities, provided it does not impede the functionality of the stormwater facility.
- Q. For interior property line buffers, where a buffer meeting the requirements of this ordinance has previously been installed on the adjoining property, an additional buffer is not required along the screened property line.
- R. Where buildings are located within 20' of a property line, all landscaping between the building and the property line may be counted toward the required points for the buffer.
- S. Subdivision Street Trees: Street trees shall be planted clearly on one side of the side property line or the other, to make clear which owner is responsible for maintaining the tree.
- T. Site Distance: Street trees at corners shall be set back at least thirty-five feet (35') from the extended curb line, and must be trimmed to allow at least five feet (5') of clearance from grade to the bottom of the tree canopy.

#### 18.57.040 Specific Requirements

- A. Buffers: When adjacent to the uses listed, the subject property shall provide the type and width of landscaping listed in the table below along the entire property line between the subject property and the adjacent use, except for vehicular and pedestrian access points. If a building is located in the buffer area, the landscaping displaced by the building shall be located elsewhere on the site. Types of landscaping are as described in Section 18.57.050.

ADJACENT USE	SUBJECT PROPERTY USE					
	1 & 2 Family Subdivision	Multi-family	Manufacture d Home Park	Commercial / Institutional	Industrial	Public Park
Freeway or Highway	Type I 20 feet wide	Type I 20 feet wide	Type I 20 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type II 10 feet wide
Street Frontage	Type IV 5 feet wide 12 pts/25'	Type IV 5 feet wide 12 pts/25'	Type IV 5 feet wide 18 pts/25'	Type IV 10 feet wide 18 pts/25'	Type IV 20 feet wide 18 pts/25'	Type IV 5 feet wide 12 pts/25'



ADJACENT USE	SUBJECT PROPERTY USE					
	1 & 2 Family Subdivision	Multi-family	Manufacture d Home Park	Commercial / Institutional	Industrial	Public Park
1 & 2 Family or vacant land zoned R-1 or R-2		Type II 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type I 15 feet wide	
Multi-family or vacant land zoned R-3	Type II 10 feet wide	Type III 5 feet wide	Type II 10 feet wide	Type II 10 feet wide	Type I 15 feet wide	
Manufactured Home Park	Type II 10 feet wide	Type III 5 feet wide		Type II 10 feet wide	Type I 15 feet wide	
Commercial/ Institutional or vacant land zoned C-1 or C-2	Type II 10 feet wide	Type II 5 feet wide	Type II 10 feet wide		Type II 10 feet wide	
Industrial or vacant land zoned I-L	Type II 10 feet wide	Type I 5 feet wide	Type II 10 feet wide	Type II 10 feet wide		
Public Park						

B. Parking Areas: Parking areas shall be landscaped to provide shade and visual relief while maintaining clear lines of sight.

1. Landscaping shall be provided within and/or around all surface parking lots containing ten (10) or more parking stalls, except that no parking lot landscaping shall be required within industrial zones. ~~Landscaping shall be provided at a rate of twenty (20) square feet per parking stall. Other required landscaping may not be counted toward this total.~~ At a minimum, landscaping shall consist of ground cover and shade trees with a minimum mature canopy spread of fifteen feet (15'). See Section 18.57.055 for required landscape points for parking lots.
2. The minimum area per planter shall be one hundred (100) square feet.
3. Landscaped areas shall be distributed around and/or throughout the parking lot so that the maximum distance between the trunk of shade tree and any parking stall shall be no more than fifty feet (50'). Shade trees used to meet this requirement are not required to be those specifically included in the parking lot landscaping.
4. Parking lots: two (2) points per required parking space + one (1) point for each parking space provided in addition to required spaces.
5. Permanent curbs or structural barriers shall be provided to protect the landscape plantings from vehicle overhang.
6. Trees shall be planted at least four feet (4') from the outside edge of the planting area.
7. No plant material greater than twelve inches (12") in height shall be located within two feet (2') of the edge of a landscaped area adjacent to a parking stall.

8. Required parking lot planter areas shall be in addition to any required front, side, and rear yard buffer requirements.
9. The requirements of this section shall not apply to parking garages or parking decks, or display areas for automotive and equipment sales and rentals.

C. Residential Landscaping

1. Front Yard: The required front yard and exterior side yard of all one (1) and two (2) family residential uses shall be landscaped within one (1) year of occupancy and maintained. For the purposes of this section, landscaping shall be defined as the addition of decorative rock, bark, groundcover, lawn, trees, plants, shrubs, and other natural and decorative features. At least fifty percent (50%) of the front and exterior side yard area shall be landscaped. Driveways and parking areas may be located in the remaining area that is not required to be landscaped.
2. Multi-family Structures: Multi-family residential uses shall also landscape the required open space areas so that they are usable for outdoor recreation.
3. Manufactured Home Parks: All areas within the boundaries of the manufactured home park shall be landscaped. All lawns, trees, landscaping, occupied and unoccupied manufactured home spaces, recreation areas, and open space areas shall be continually maintained. A permanent irrigation system shall be installed and maintained for planted common areas.
4. Planter strips: Street frontage planter strips between the curb and sidewalk shall be landscaped with Type IV landscaping consisting of a minimum of twelve (12) points per twenty-five feet (25') of frontage. Timing of landscape installation shall be as follows:
  - a. For new subdivisions, planter strip landscaping shall be installed or bonded for before a Certificate of Occupancy is issued for the house on the lot abutting the planter strip.
  - b. For new planter strips built in existing developed areas, planter strip landscaping shall be installed within one year of completion of the planter strip.
  - c. For areas with existing planter strips, planter strip landscaping shall be installed within one (1) year of the adoption of this ordinance.

D. Building Facade Landscaping: To ensure that wall facades are visually interesting when viewed from surrounding streets and buildings, blank building facades more than twenty feet (20') in height or fifty feet (50') in width or length shall be landscaped with Type III landscaping to provide visual relief and soften the effect of the new building on the surrounding area.

1. Blank facades are defined as those which do not add to the character of the streetscape and do not contain transparent windows or sufficient ornamental features, decorations, artwork, articulation, high quality building materials (such as brick), or other architectural features.
2. Exceptions: Buildings in industrial zones are not required to screen blank facades. In all other zones, blank facades that are within twenty feet (20') of another building or which are otherwise not visible to the general public are not required to be screened.

18.57.055 Landscape Point Values:

- A. Applicant may use any combination of planting materials to meet the requirements of this section. Points are assigned based on the following table and can be decreased using subsection G and I.



Type of Plant Material	Mature Height	Minimum Size (at time of planting)		Point Value
		Deciduous Trees (in caliper inches)	Evergreen Trees (in feet of height)	
Large Tree	>60 ft	8-inch or greater	22 ft and over	115
	>60 ft	7-inch	19 - 21ft.	100
	>60 ft	6-inch	16 -18 ft.	90
	>60 ft	5-inch	13 -15 ft.	80
	>60 ft	4-inch	11-12 ft.	65
	>60 ft	3-inch	9 -10 ft.	55
	>60 ft	2-inch	7 - 8 ft	35
Medium Tree	25 ft to 60 ft	3-inch	7-8 ft	40
Medium Tree	25 ft to 60 ft	2 -inch	7 - 8 ft	30
Medium Tree	25 ft to 60 ft	1.5 -inch	5-6 ft	20
Small Tree	<25 ft	Single Trunk 1.5 inch caliper	5 - 6 ft	15
Ornamental Tree	varies	Multiple trunk (minimum 3 trunks): smallest trunk 1.5 inch caliper	5 - 6 ft	10
Large Shrub	>6 ft	24 -inch height at planting		9
Medium Shrub	3 ft to 6 ft	12-inch height at planting		6
Small Shrub	< 3 ft	8 - inch height at planting		4
Ornamental Grasses	varies	1 gallon		same as shrub of same mature height
Groundcover	< 1 ft, excluding flowers on tall stalks	1 gallon		½
Existing Trees	varies	Greater than 3" caliper		10 pts + 10 pts/inch of caliper
Landscaped Berm		30" height; 10-foot length; 3:1 slope		1 per 5 lineal feet
Turf Grass	n/a	n/a		1/4 per square yard

Type of Plant Material	Mature Height	Minimum Size (at time of planting)		Point Value
		Deciduous Trees (in caliper inches)	Evergreen Trees (in feet of height)	
<u>Sculpture or Basalt Columns</u> <u>*may not be substituted for trees</u>		<u>2' minimum height</u>		<u>15 points + 15 pts for each additional 2' height</u>

Note: Points will be based on the size of the mature tree or shrub. For example, a small species of shrub in a three (3) gallon pot at the time of planting will not be given points as a medium shrub, it remains a small shrub. The Community Development Department will maintain a list of commonly-planted species and the size per the above chart. For species not included in the list, mature height shall be as shown in a standard published source. Where a range of sizes is given in the source, points for the larger size may be claimed, provided the correct minimum size is planted for the points claimed.

- B. An additional ten percent (10%) in the number of points shall be required adjacent to the following aesthetic corridors:
  - 1. West Broadway from I-90 to its intersection with Division Street
  - 2. East Broadway from its intersection with Division Street to where it joins with Pioneer Way
  - 3. Pioneer Way from where it joins with East Broadway to its intersection with Highway 17
- C. Points for required buffers shall be in addition to the ~~Site Points and~~ Parking Lot Points required in this section.
- D. A maximum of twenty-five percent (25%) of required landscape points may be claimed within street right-of-way.
- E. A minimum of sixty percent (60%) of points shall be used for landscaping in the front and side yards.
- F. A maximum of twenty-five percent (25%) of required points may be used for turf grass. Turf grass within street right-of-way does not earn any points.
- G. Drought Tolerant Landscaping. Landscaping areas that meet the criteria listed below may have the points required for that area reduced by thirty percent (30%). To qualify as drought tolerant, the following must be incorporated:
  - 1. An approved drip irrigation system
  - 2. Low volume - low pressure - low flow distribution
  - 3. Drought tolerant plant selection
  - 4. Use of mulches, which can include decorative rock
- H. Native and Naturalized Plant Species. New landscaping materials shall include species native to Eastern Washington or hardy, waterwise, and noninvasive species appropriate in the climatic conditions of Eastern Washington (decorative annuals are an exception). Washington State University maintains a list of trees, shrubs, vines, ground covers, perennials, grasses, bulbs, and annuals that are appropriate for Eastern Washington. (Link: <http://public.wsu.edu/~lohr/wcl/>). The selections of plant species should include consideration of soil type and depth, the amount of maintenance required, spacing, exposure to sun and



wind, the slope and contours of the site, compatibility with existing native vegetation preserved on the site, water conservation where needed, and the impact of landscaping on visibility of the site for purposes of public safety and surveillance.

- I. Alternative Water Source: Projects irrigated from sources other than City water may have the points required for that area reduced by thirty percent (30%).

18.57.080 Preservation and Care of Significant Trees: Developments shall retain significant trees to the maximum extent practical. Areas devoted to access and areas to be cleared for required roads, utilities, sidewalks, trails, or storm drainage improvements are exempt from this requirement.

A. Significant trees are healthy trees that do not present a safety hazard, are not listed in Section 18.57.100 as prohibited, and that meet one or more of the following criteria:

- 1. Six inches (6") or greater in diameter measured four feet (4') above grade
- 2. Part of a grouping of five (5) or more trees with canopies that touch or overlap
- 3. Member of a unique or unusual species
- 4. Within twenty-five feet (25') of a sensitive area or buffer, as defined in MLMC Title 19

B. The following measures shall be used to protect significant trees during construction:

- 1. There shall be no clearing or grading of the site until after approval of the landscape plan.
- 2. The developer shall install a temporary but immovable fence four feet (4') high around the tree at the dripline to prevent disturbance during construction.
- 3. There shall be no impervious surfaces, fill, excavation, or storage of materials within the fenced area.
- 4. If the grade level around the tree is to be raised by more than one foot (1'), a rock well shall be constructed around the tree, with the inside diameter of the well corresponding to the dripline of the tree. No fill is allowed inside the well area.
- 5. The grade level shall not be lowered within the larger of the two (2) areas defined as follows:
  - a. The drip line of the tree, or
  - b. An area around the tree equal to one foot (1') in diameter for each inch of tree trunk diameter measured four feet (4') above the ground.

C. Alternative protection measures may be used if the city determines they will provide equal or greater tree protection.

18.57.110 Alteration of Landscape Requirements: The applicant may submit for consideration a landscaping plan that differs from the specific criteria set forth in this chapter. The applicant shall in writing, clearly and in detail, state what adjustments are being requested and the reasons that such adjustments are warranted. The application shall be accompanied by a drawing that meets the requirements of MLMC 18.57.060, along with any supplemental data, such as sketches, surveys, and statistical information, as that is deemed necessary to support the adjustment. The Planning Commission may approve, modify, or deny the requested adjustment. In approving the alteration, the Planning Commission shall make the following findings:

- A. The alteration would be in keeping with and preserve the intent of this chapter; and
- B. The alteration would not be contrary to the public interest; and

C. The alteration is justified based on at least one (1) of the following:

1. The requirements of this chapter would result in more than fifteen percent (15%) of the site area being landscaped. In such cases the Planning Commission may modify those requirements so that not more than fifteen percent (15%) of the site must be landscaped, provided that the landscaping and corresponding setbacks required are those most beneficial to the public. More intensive landscaping may be required if the reduction in area would reduce the effectiveness of landscaping to a point where the intent of the landscaping type cannot be satisfied.
2. The inclusion of significant existing vegetation located on the site would result in as good as or better satisfaction of the purposes of this chapter.
3. Three foot (3') berms or six foot (6') architectural barriers are incorporated into the landscape design. Adjacent to the berm or barrier, the width of the perimeter landscaping strip may be reduced up to twenty-five percent (25%) if the landscaping materials are incorporated elsewhere on site.
4. Existing conditions on or adjacent to the site, such as significant topographic differences, vegetation, structures, or utilities would render application of this chapter ineffective.
5. An existing or proposed structure precludes installation of the total amount of required perimeter landscaping. In such cases, the landscaping material shall be incorporated on another portion of the site. If no portion of the site can be landscaped, approved waterless landscaping features such as decorative rock, gabions, sculptures, and/or facade improvements as defined in 18.57.040 D.1 may be used. The totality of such features must be of sufficient substance and location as to serve the purpose of this chapter.
6. The proposed landscaping represents a superior result or is more effective than that which would be achieved by strictly following requirements of this section.

Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on

\_\_\_\_\_  
Dick Deane, Mayor

ATTEST:

\_\_\_\_\_  
W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

\_\_\_\_\_  
Katherine L. Kenison, City Attorney





September 16, 2015

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a resolution providing for the abatement of nuisances at 2003 S. Beaumont, owned by Markova Living Trust. The Council should hold a hearing to consider the allegations of the Code Enforcement Officer that the property contains a public nuisance which has not been corrected. If the Council concurs that a public nuisance exists, the resolution should be adopted allowing the City to remove the public nuisance.

The resolution is attached for Council consideration.

Respectfully submitted

Gilbert Alvarado  
Interim City Manager

GA:jt

RESOLUTION NO. 3548

A RESOLUTION DETERMINING THAT MARKOVA LIVING TRUST IS THE OWNER OF CERTAIN REAL PROPERTY WITHIN THE CITY; THAT A NUISANCE REQUIRING ABATEMENT BY CITY FORCES OR FORCES CONTRACTED BY THE CITY EXISTS ON SUCH PROPERTY; AND DIRECTING THE USE OF SUCH FORCES TO ABATE THE NUISANCE FOUND

Recitals:

1. Real Property Location and Ownership. It is alleged by a Code Enforcement Officer of the City, a person authorized to enforce the ordinances and municipal code of the City, that the real property located at 2003 S. Beaumont, Lot 73, Montlake Add. #1, Parcel #101624000, Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 8.14.030 M. 5. The records of Grant County show the owner of the subject property to be Markova Living Trust, 9815 65<sup>th</sup> Road, Apt. 1E, Rego Park, NY 11374-3505.
2. Notice. On June 30, 2015, the Code Enforcement Officer caused to be delivered by regular mail and certified mail to the owner of record of the subject property a Notice of Violation and Order to Correct or Cease Activity. No appeal was filed to challenge that order. The time to comply under that order has passed. The nuisance described in that order has not been abated by correction of the condition of the property and a nuisance continues to exist on the subject property. On August 27, 2015, the Code Enforcement Officer caused to be delivered to Markova Living Trust a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of September 8, 2015. Such notice was in writing, in the English language and was delivered by return receipt mail and regular mail to the record owner of the subject property.
3. Violations. It has been established by the Notice of Violation and Order to Correct or Cease Activity that the following violations exist on the subject property and have not been corrected:
  - 3.1. A violation of MLMC 8.14.030.M.5.: Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.
    - M. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:
      5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.
4. Hearing. On September 8, 2015 the Moses Lake City Council conducted a hearing to consider the allegations of the Code Enforcement Officer that the subject property contains a public nuisance ordered corrected which remains uncorrected and that the record owner is responsible for the costs of correcting and abating such violations if such corrections and abatement is accomplished by City forces or forces contracted by the City for such purpose. All interested persons were permitted to provide written or oral evidence relevant to the issue.
5. Evidence:
  - 5.1. The following persons testified under oath:

Rick Rodriguez, Moses Lake Code Enforcement Officer
  - 5.2. The following exhibits were made a part of the record of the proceedings:



EXHIBIT #1: Moses Lake Municipal Code Chapter 8.14.030 M. 5.

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated June 30, 2015 from the Code Enforcement Officer addressed to Markova Living Trust, 9815 65<sup>th</sup> Road, Apt. 1E, Rego Park, NY 11374-3505.

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 2003 S. Beaumont Drive, Moses Lake, WA 98837.

EXHIBIT #4: Letter dated August 27, 2015, from the Code Enforcement Officer to Markova Living Trust advising the property owner of the hearing regarding abatement of property, scheduled for September 8, 2015.

Resolved:

1. A public nuisance in violation of MLMC 8.13.030 M. 5. exists on the subject property at 2003 S. Beaumont Drive, Moses Lake, Washington. Markova Living Trust, 9815 65<sup>th</sup> Road, Apt. 1E, Rego Park, NY 11374-3505 is the record contract owner of the subject property per the records of Grant County.
2. The public nuisance located upon the subject property consists of:
  - 2.1. Kochia, a noxious weed
  - 2.2. Weeds in sidewalk and on property
3. The maintenance of these public nuisance violations on the subject property by the record owner is detrimental to the health, safety, welfare, peace and tranquility of the residents of the City impacting the quality of life and diminishing property values.
4. Markova Living Trust, the record contract owner, has fifteen (15) days from the date of the adoption of this resolution to cause the nuisance violations listed herein to be removed to the satisfaction of the Code Enforcement Officer. Those improvements include the following:
  - 4.1 Kochia must be sprayed and then removed from the property
  - 4.2 The weeds must be removed from the sidewalk and cut back 10' from the sidewalk on the property itself
5. City staff shall provide a status report to City Council on the progress of the record contract owners and occupant to make the clean up required on the subject property. If the improvements, as listed above, are not to the satisfaction of the Code Enforcement Officer, the City is authorized to use City forces or contract forces to cause the identified public nuisances to be removed from the subject property to the satisfaction of the City Manager. All costs of any removal of the identified public nuisances done at City expense shall be recovered by the City Manager by all reasonable means including immediate assignment of the costs so incurred for collection.
6. A copy of this resolution shall be provided to the record contract owner by return receipt and regular mail after its approval by the City Council.

Adopted by the City Council on September 22, 2015.

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Dick Deane, Mayor

ATTEST:

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W. Robert Taylor, Finance Director

8.14.030 Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.

M. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:

5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.





**CITY OF MOSES LAKE**

**NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY**

**TO:** Markova Living Trust  
9815 65th Rd Apt 1E  
Rego Park, NY. 11374-3505

**NOTICE OF VIOLATION**

**Provisions of the City of Moses Lake Code Violated:**

Moses Lake Municipal Code 8.14.030M5

**Street Address of Violation:**

2003 S Beaumont Dr, Moses Lake, WA 98837

**Brief Legal Description of Property Where Violation Exists:**

Lot 73 Montlake ADD # 1 101624000

**YOU ARE HEREBY ORDERED TO CORRECT OR CEASE THE ACTIVITY AS FOLLOWS:**

**Action Necessary to Correct Violation:**

Kochia must be sprayed and then removed from the property. Weeds must be removed from the sidewalk itself, and weeds must be cut back 10' from the sidewalk on the property itself.

**Time by Which Violation is to be Corrected or Activity Ceased**

The City is requiring these corrections listed on this Notice and Order be accomplished by  
**Friday, July, 10, 2015**

**YOU ARE FURTHER NOTIFIED THAT THE MOSES LAKE CITY CODE PROVIDES FOR THE FOLLOWING PENALTIES:**

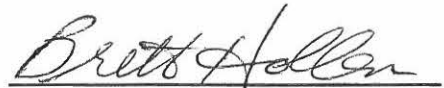
Exhibit 2  
Page 2 of 2

1. Any violation for which a Notice of Violation and Order to Correct or Cease Activity has been issued but which has not been corrected within the the time specified shall incur a civil penalty of two hundred fifty dollars (\$250) per day up to a sum of five thousand dollars (\$5000), beginning on the day the correction was to be completed. The cumulative penalty provided for in this paragraph shall not accrue while an appeal is pending, nor shall the penalty preclude the initiation of appropriate legal action to correct the violation. [1.20.050(E)(1)].
2. If a penalty has been assessed pursuant to 1.20.050(E)(1), a Court shall assess that penalty and any additional penalty the Court considers appropriate plus court costs and attorney's fees.

YOU MAY APPEAL THIS NOTICE AND ORDER TO THE HEARING EXAMINER WITHIN TEN (10) DAYS, PURSUANT TO SECTION 20.03.050 OF THE MOSES LAKE CITY CODE AND BY PAYMENT OF AN \$800 FEE.

YOU ARE FURTHER NOTIFIED THAT IF THE AFOREMENTIONED VIOLATION IS NOT CORRECTED AS SPECIFIED HERIN THIS MATTER WILL BE REFERRED TO THE CITY ATTORNEY FOR CIVIL ENFORCEMENT BY INJUNCTION OR OTHER APROPRIATE ACTION.

Dated this Tuesday, June 30, 2015



Brett Hollen  
Code Enforcement  
City of Moses Lake  
509-764-3748





06/11/2015 06:55





06/11/2015 06:55





06/11/2015 06:55



August, 27, 2015

Markova Living Trust  
9815 65th Rd Apt 1E  
Rego Park, NY. 11374-3505



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 2003 S Beaumont Dr, Parcel 101624000, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Markova Living Trust

You are identified in the records of the Grant County Assessor as the record owner of real property located within the City of Moses Lake described as: Lot 73 Montlake ADD # 1.

This property is located at: 2003 S Beaumont Dr, Parcel 101624000, Moses Lake, WA 98837

On Tuesday, June 30, 2015 the City of Moses Lake mailed to you by regular mail and return receipt mail a Notice of Violation and Order to Correct or Cease Activity within the time allowed by the City Code. The time specified in that Notice of Violation and Order to Correct or Cease Activity has expired without compliance. As of August 27, 2015, the nuisance located on the subject property has not been corrected or removed.

Pursuant to Moses Lake Municipal Code (MLMC) 8.14.070 the City of Moses Lake is giving you notice that it will conduct a hearing before the Moses Lake City Council at the Council's regular meeting on Tuesday, September 08, 2015 which is more than ten days from the date of this letter. That meeting will begin at 7:00 p.m. in the Council Chambers in the Moses Lake Civic Center. The purpose of this hearing is for the City Council to determine if a nuisance exists on your property and if a nuisance is found to exist to direct the abatement of that nuisance by use of City contracted forces. The cost of that abatement will be assessed against you as the owner of the subject property. At that hearing all persons interested in the abatement of the nuisance existing on the subject property will have the opportunity to be heard under oath. At that time, you may present all relevant evidence you wish for the City Council to consider, whether that be documents, photos, or live testimony from yourself or others. At the conclusion of that hearing, it is expected the City Council will determine if an abatement of a nuisance located on the subject property should take place and when.

**THIS HEARING IS IMPORTANT. YOUR FAILURE TO PARTICIPATE MAY IMPACT IMPORTANT RIGHTS IN YOUR PROPERTY.**

If you have any questions, you may contact the City Manager's Office at the Moses Lake Civic Center, 401 S. Balsam, Moses Lake, WA, phone 509-764-3701.

Sincerely,

Rick Rodriguez  
Code Enforcement Officer

cc: City Manager  
City Attorney  
Community Development Director

Exhibit 4



September 16, 2015

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a resolution providing for the abatement of nuisances at 1061 S. Division Street, owned by Bonita Evens. The Council should hold a hearing to consider the allegations of the Code Enforcement Officer that the property contains a public nuisance which has not been corrected. If the Council concurs that a public nuisance exists, the resolution should be adopted allowing the City to remove the public nuisance.

The resolution is attached for Council consideration.

Respectfully submitted

Gilbert Alvarado  
Interim City Manager

GA:jt



RESOLUTION NO. 3549

A RESOLUTION DETERMINING THAT BONITA EVENS IS THE OWNER OF CERTAIN REAL PROPERTY WITHIN THE CITY; THAT A NUISANCE REQUIRING ABATEMENT BY CITY FORCES OR FORCES CONTRACTED BY THE CITY EXISTS ON SUCH PROPERTY; AND DIRECTING THE USE OF SUCH FORCES TO ABATE THE NUISANCE FOUND

Recitals:

1. Real Property Location and Ownership. It is alleged by a Code Enforcement Officer of the City, a person authorized to enforce the ordinances and municipal code of the City, that the real property located at 1061 S. Division (Lot 1, Maver Addition) Parcel #101520000, Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 8.14.030 M. 5. & U. The records of Grant County show the owner of the subject property to be Bonita Evens, 1061 S. Division Street, Moses Lake, WA 98837.
2. Notice. On June 26, 2015, the Code Enforcement Officer caused to be delivered by regular mail and certified mail to the owner of record of the subject property a Notice of Violation and Order to Correct or Cease Activity. No appeal was filed to challenge that order. The time to comply under that order has passed. The nuisance described in that order has not been abated by correction of the condition of the property and a nuisance continues to exist on the subject property. On August 27, 2015, the Code Enforcement Officer caused to be delivered to Bonita Evens a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of September 8, 2015. Such notice was in writing, in the English language and was delivered by return receipt mail and regular mail to the record owner of the subject property.
3. Violations. It has been established by the Notice of Violation and Order to Correct or Cease Activity that the following violations exist on the subject property and have not been corrected:
  - 3.1 A violation of MLMC 8.14.030 M. 5 & U.: Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.
    - M. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:
      5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.
  - U. Except for any designated public park land, natural area, or environmentally sensitive area, or any undeveloped parcels of land not adjacent to developed areas or which are used for agricultural purposes, all grasses, weeds, or other vegetation growing or which has grown and died, which is determined to be a fire or safety hazard or a nuisance to persons, shall not exceed twelve inches (12") in height measured above the ground.
    1. The above exception may be waived and additional maintenance required by the Code Enforcement Officer if he determines such action is necessary to protect the safety of persons or adjoining property.

2. All maintenance shall be done in a manner so that soil stability will not be disrupted or disturbed. Grass, weed, or vegetation control shall not include plowing, discing, or scraping the soil to eliminate the grasses, weeds, or other vegetation unless a soil stabilization plan, which will minimize blowing dust and maintain soil stability and which shall be approved by the city prior to any plowing, discing, or scraping, is implemented immediately.
4. Hearing. On September 8, 2015 the Moses Lake City Council conducted a hearing to consider the allegations of the Code Enforcement Officer that the subject property contains a public nuisance ordered corrected which remains uncorrected and that the record owner is responsible for the costs of correcting and abating such violations if such corrections and abatement is accomplished by City forces or forces contracted by the City for such purpose. All interested persons were permitted to provide written or oral evidence relevant to the issue.
5. Evidence:
  - 5.1. The following persons testified under oath:

Rick Rodriguez, Moses Lake Code Enforcement Officer
  - 5.2. The following exhibits were made a part of the record of the proceedings:

EXHIBIT #1: Moses Lake Municipal Code Section 8.14.030 M. 5 & U.

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated June 26, 2015 from the Code Enforcement Officer addressed to Bonita Evens, 1061 S. Division Street, Moses Lake, WA 98837.

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 1061 S. Division Street, Moses Lake, Washington.

EXHIBIT #4: Letter dated August 27, 2015 from the Code Enforcement Officer to Bonita Evens advising the property owner of the hearing regarding abatement of property, scheduled for September 8, 2015.

Resolved:

1. A public nuisance in violation of MLMC 8.14.030 M. 5. exists on the subject property at 1061 S. Division, Moses Lake, Washington. Bonita Evans, 1061 S. Division Street, Moses Lake, WA 98837 is the record contract owner of the subject property per the records of Grant County.
2. The public nuisance located upon the subject property consists of:
  - 2.1. Kochia and weeds in excess of 12"
3. The maintenance of these public nuisance violations on the subject property by the record owner is detrimental to the health, safety, welfare, peace and tranquility of the residents of the City impacting the quality of life and diminishing property values.
4. Bonita Evens, the record contract owner, has fifteen (15) days from the date of the adoption of this resolution to cause the nuisance violations listed herein to be removed to the satisfaction of the Code Enforcement Officer. Those improvements include the following:
  - 4.1 Kochia must be sprayed and removed from the property
  - 4.2 Weeds must be cut down or removed

5. City staff shall provide a status report to City Council on the progress of the record contract owner and occupant to make the clean up required on the subject property. If the improvements, as listed above, are not to the satisfaction of the Code Enforcement Officer, the City is authorized to use City forces or contract forces to cause the identified public nuisances to be removed from the subject property to the satisfaction of the City Manager. All costs of any removal of the identified public nuisances done at City expense shall be recovered by the City Manager by all reasonable means including immediate assignment of the costs so incurred for collection.
6. A copy of this resolution shall be provided to the record contract owner by return receipt and regular mail after its approval by the City Council.

Adopted by the City Council on September 22, 2015.

\_\_\_\_\_  
Dick Deane, Mayor

ATTEST:

\_\_\_\_\_  
W. Robert Taylor, Finance Director



8.14.030 Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.

- M. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:
  - 5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.
- U. Except for any designated public park land, natural area, or environmentally sensitive area, or any undeveloped parcels of land not adjacent to developed areas or which are used for agricultural purposes, all grasses, weeds, or other vegetation growing or which has grown and died, which is determined to be a fire or safety hazard or a nuisance to persons, shall not exceed twelve inches (12") in height measured above the ground.
  - 1. The above exception may be waived and additional maintenance required by the Code Enforcement Officer if he determines such action is necessary to protect the safety of persons or adjoining property.
  - 2. All maintenance shall be done in a manner so that soil stability will not be disrupted or disturbed. Grass, weed, or vegetation control shall not include plowing, discing, or scraping the soil to eliminate the grasses, weeds, or other vegetation unless a soil stabilization plan, which will minimize blowing dust and maintain soil stability and which shall be approved by the city prior to any plowing, discing, or scraping, is implemented immediately.



**CITY OF MOSES LAKE**

**NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY**

**TO:** Bonita Evens  
1061 S Division St  
Moses Lake, WA 98837

**NOTICE OF VIOLATION**

**Provisions of the City of Moses Lake Code Violated:**

Moses Lake Municipal Codes 8.14.030M5 and 8.14.030U

**Street Address of Violation:**

1061 S Division St, Moses Lake, WA 98837

**Brief Legal Description of Property Where Violation Exists:**

Lot 1 Maver ADD 101520000

**YOU ARE HEREBY ORDERED TO CORRECT OR CEASE THE ACTIVITY AS FOLLOWS:**

**Action Necessary to Correct Violation:**

Kochia must be sprayed and then removed from these areas. Weeds must be cut down or removed from the back area and the sidewalk planter strip.

**Time by Which Violation is to be Corrected or Activity Ceased**

The City is requiring these corrections listed on this Notice and Order be accomplished by

**Monday, July, 06, 2015**

**YOU ARE FURTHER NOTIFIED THAT THE MOSES LAKE CITY CODE PROVIDES FOR THE FOLLOWING PENALTIES:**

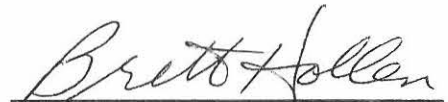
Exhibit 2  
Page 1 of 2

1. Any violation for which a Notice of Violation and Order to Correct or Cease Activity has been issued but which has not been corrected within the the time specified shall incur a civil penalty of two hundred fifty dollars (\$250) per day up to a sum of five thousand dollars (\$5000), beginning on the day the correction was to be completed. The cumulative penalty provided for in this paragraph shall not accrue while an appeal is pending, nor shall the penalty preclude the initiation of appropriate legal action to correct the violation. [1.20.050(E)(1)].
2. If a penalty has been assessed pursuant to 1.20.050(E)(1), a Court shall assess that penalty and any additional penalty the Court considers appropriate plus court costs and attorney's fees.

YOU MAY APPEAL THIS NOTICE AND ORDER TO THE HEARING EXAMINER WITHIN TEN (10) DAYS, PURSUANT TO SECTION 20.03.050 OF THE MOSES LAKE CITY CODE AND BY PAYMENT OF AN \$800 FEE.

YOU ARE FURTHER NOTIFIED THAT IF THE AFOREMENTIONED VIOLATION IS NOT CORRECTED AS SPECIFIED HERIN THIS MATTER WILL BE REFERRED TO THE CITY ATTORNEY FOR CIVIL ENFORCEMENT BY INJUNCTION OR OTHER APROPRIATE ACTION.

Dated this Friday, June 26, 2015



Brett Hollen  
Code Enforcement  
City of Moses Lake  
509-764-3748













06/05/2015 07:14



August, 27, 2015  
Bonita Evens  
1061 S Division St  
Moses Lake, WA 98837



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 1061 S Division St, Parcel 101520000, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Bonita Evens

You are identified in the records of the Grant County Assessor as the record owner of real property located within the City of Moses Lake described as: Lot 1 Maver ADD.

This property is located at: 1061 S Division St, Parcel 101520000, Moses Lake, WA 98837

On Friday, June 26, 2015 the City of Moses Lake mailed to you by regular mail and return receipt mail a Notice of Violation and Order to Correct or Cease Activity within the time allowed by the City Code. The time specified in that Notice of Violation and Order to Correct or Cease Activity has expired without compliance. As of August 27, 2015, the nuisance located on the subject property has not been corrected or removed.

Pursuant to Moses Lake Municipal Code (MLMC) 8.14.070 the City of Moses Lake is giving you notice that it will conduct a hearing before the Moses Lake City Council at the Council's regular meeting on Tuesday, September 08, 2015 which is more than ten days from the date of this letter. That meeting will begin at 7:00 p.m. in the Council Chambers in the Moses Lake Civic Center. The purpose of this hearing is for the City Council to determine if a nuisance exists on your property and if a nuisance is found to exist to direct the abatement of that nuisance by use of City contracted forces. The cost of that abatement will be assessed against you as the owner of the subject property. At that hearing all persons interested in the abatement of the nuisance existing on the subject property will have the opportunity to be heard under oath. At that time, you may present all relevant evidence you wish for the City Council to consider, whether that be documents, photos, or live testimony from yourself or others. At the conclusion of that hearing, it is expected the City Council will determine if an abatement of a nuisance located on the subject property should take place and when.

**THIS HEARING IS IMPORTANT. YOUR FAILURE TO PARTICIPATE MAY IMPACT IMPORTANT RIGHTS IN YOUR PROPERTY.**

If you have any questions, you may contact the City Manager's Office at the Moses Lake Civic Center, 401 S. Balsam, Moses Lake, WA, phone 509-764-3701.

Sincerely,

Rick Rodriguez

Code Enforcement Officer

cc: City Manager  
City Attorney  
Community Development Director

Exhibit 4



September 16, 2015

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is a resolution providing for the abatement of nuisances at 826 S. Grand, owned by Bryan Starrett. The Council should hold a hearing to consider the allegations of the Code Enforcement Officer that the property contains a public nuisance which has not been corrected. If the Council concurs that a public nuisance exists, the resolution should be adopted allowing the City to remove the public nuisance.

The resolution is attached for Council consideration.

Respectfully submitted

Gilbert Alvarado  
Interim City Manager

GA:jt

RESOLUTION NO. 3550

A RESOLUTION DETERMINING THAT BRYAN STARRETT IS THE OWNER OF CERTAIN REAL PROPERTY WITHIN THE CITY; THAT A NUISANCE REQUIRING ABATEMENT BY CITY FORCES OR FORCES CONTRACTED BY THE CITY EXISTS ON SUCH PROPERTY; AND DIRECTING THE USE OF SUCH FORCES TO ABATE THE NUISANCE FOUND

Recitals:

1. Real Property Location and Ownership. It is alleged by a Code Enforcement Officer of the City, a person authorized to enforce the ordinances and municipal code of the City, that the real property located at 826 S. Grand Drive (Lot 7, Block 9, Lakeview Terrace #1) Parcel #100919000, Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 8.14.030 M. 5. The records of Grant County show the owner of the subject property to be Bryan Starrett, 826 S. Grand Drive, Moses Lake, WA 98837.
2. Notice. On July 9, 2015, the Code Enforcement Officer caused to be delivered by regular mail and certified mail to the owner of record of the subject property a Notice of Violation and Order to Correct or Cease Activity. No appeal was filed to challenge that order. The time to comply under that order has passed. The nuisance described in that order has not been abated by correction of the condition of the property and a nuisance continues to exist on the subject property. On August 27, 2015, the Code Enforcement Officer caused to be delivered to Bryan Starrett a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of September 8, 2015. Such notice was in writing, in the English language and was delivered by return receipt mail and regular mail to the record owner of the subject property.
3. Violations. It has been established by the Notice of Violation and Order to Correct or Cease Activity that the following violations exist on the subject property and have not been corrected:
  - 3.1 A violation of MLMC 8.14.030 M. 5.: Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.
    - M. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:
      5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.
4. Hearing. On September 8, 2015 the Moses Lake City Council conducted a hearing to consider the allegations of the Code Enforcement Officer that the subject property contains a public nuisance ordered corrected which remains uncorrected and that the record owner is responsible for the costs of correcting and abating such violations if such corrections and abatement is accomplished by City forces or forces contracted by the City for such purpose. All interested persons were permitted to provide written or oral evidence relevant to the issue.
5. Evidence:
  - 5.1. The following persons testified under oath:

Rick Rodriguez, Moses Lake Code Enforcement Officer
  - 5.2. The following exhibits were made a part of the record of the proceedings:



EXHIBIT #1: Moses Lake Municipal Code Section 8.14.030 M. 5.

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated July 9, 2015 from the Code Enforcement Officer addressed to Bryan Starrett, 826 S. Grand Drive, Moses Lake, WA 98837.

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 826 S. Grand Drive, Moses Lake, Washington.

EXHIBIT #4: Letter dated August 27, 2015 from the Code Enforcement Officer to Bryan Starrett advising the property owner of the hearing regarding abatement of property, scheduled for September 8, 2015.

Resolved:

1. A public nuisance in violation of MLMC 8.14.030 M. 5. exists on the subject property at 826 S. Grand Drive, Moses Lake, Washington. Bryan Starrett, 826 S. Grand Drive, Moses Lake, WA 98837 is the record contract owner of the subject property per the records of Grant County.
2. The public nuisance located upon the subject property consists of:
  - 2.1. Kochia
3. The maintenance of these public nuisance violations on the subject property by the record owner is detrimental to the health, safety, welfare, peace and tranquility of the residents of the City impacting the quality of life and diminishing property values.
4. Bryan Starrett, the record contract owner, has fifteen (15) days from the date of the adoption of this resolution to cause the nuisance violations listed herein to be removed to the satisfaction of the Code Enforcement Officer. Those improvements include the following:
  - 4.1 Koshia must be sprayed and removed from the property
5. City staff shall provide a status report to City Council on the progress of the record contract owner and occupant to make the clean up required on the subject property. If the improvements, as listed above, are not to the satisfaction of the Code Enforcement Officer, the City is authorized to use City forces or contract forces to cause the identified public nuisances to be removed from the subject property to the satisfaction of the City Manager. All costs of any removal of the identified public nuisances done at City expense shall be recovered by the City Manager by all reasonable means including immediate assignment of the costs so incurred for collection.
6. A copy of this resolution shall be provided to the record contract owner by return receipt and regular mail after its approval by the City Council.

Adopted by the City Council on September 22, 2015.

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Dick Deane, Mayor

ATTEST:

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W. Robert Taylor, Finance Director

8.14.030 Nuisance Defined. Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the Code Enforcement Officer determines that any of these conditions exist upon any premises or in any stream, drainage way or wetlands, the officer may require or provide for the abatement thereof pursuant to this chapter.

M. The erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any private lot, building, structure or premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:

5. Any poison oak or poison ivy, Russian thistle or other noxious weeds, as defined by Chapter 8.22 of the Moses Lake Municipal Code entitled "Noxious Weed Control" whether growing or otherwise; but nothing herein shall prevent the temporary retention of such weeds in approved covered receptacles.





**CITY OF MOSES LAKE**

**NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY**

**TO:** Bryan Starrett  
826 S Grand Dr  
Moses Lake, WA 98837

**NOTICE OF VIOLATION**

**Provisions of the City of Moses Lake Code Violated:**

Moses Lake Municipal Code 8.14.030M5

**Street Address of Violation:**

826 S Grand Dr, Moses Lake, WA 98837

**Brief Legal Description of Property Where Violation Exists:**

Lot 7 Block 9 Lakeview Terrace #1 100919000

**YOU ARE HEREBY ORDERED TO CORRECT OR CEASE THE ACTIVITY AS FOLLOWS:**

**Action Necessary to Correct Violation:**

Kochia must be sprayed and then removed from these areas.

**Time by Which Violation is to be Corrected or Activity Ceased**

The City is requiring these corrections listed on this Notice and Order be accomplished by

**Sunday, July, 19, 2015**

**YOU ARE FURTHER NOTIFIED THAT THE MOSES LAKE CITY CODE PROVIDES FOR THE FOLLOWING PENALTIES:**

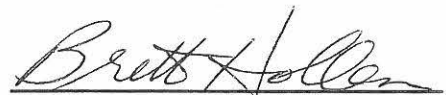
Exhibit 2  
Page 1 of 2

1. Any violation for which a Notice of Violation and Order to Correct or Cease Activity has been issued but which has not been corrected within the the time specified shall incur a civil penalty of two hundred fifty dollars (\$250) per day up to a sum of five thousand dollars (\$5000), beginning on the day the correction was to be completed. The cumulative penalty provided for in this paragraph shall not accrue while an appeal is pending, nor shall the penalty preclude the initiation of appropriate legal action to correct the violation. [1.20.050(E)(1)].
2. If a penalty has been assessed pursuant to 1.20.050(E)(1), a Court shall assess that penalty and any additional penalty the Court considers appropriate plus court costs and attorney's fees.

YOU MAY APPEAL THIS NOTICE AND ORDER TO THE HEARING EXAMINER WITHIN TEN (10) DAYS, PURSUANT TO SECTION 20.03.050 OF THE MOSES LAKE CITY CODE AND BY PAYMENT OF AN \$800 FEE.

YOU ARE FURTHER NOTIFIED THAT IF THE AFOREMENTIONED VIOLATION IS NOT CORRECTED AS SPECIFIED HERIN THIS MATTER WILL BE REFERRED TO THE CITY ATTORNEY FOR CIVIL ENFORCEMENT BY INJUNCTION OR OTHER APROPRIATE ACTION.

Dated this Thursday, July 09, 2015



Brett Hollen  
Code Enforcement  
City of Moses Lake  
509-764-3748





06/23/2015 07:14







August, 27, 2015

Bryan Starrett  
826 S Grand Dr  
Moses Lake, WA 98837



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 826 S Grand Dr, Parcel 100919000, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Bryan Starrett

You are identified in the records of the Grant County Assessor as the record owner of real property located within the City of Moses Lake described as: Lot 7 Block 9 Lakeview Terrace #1.

This property is located at: 826 S Grand Dr, Parcel 100919000, Moses Lake, WA 98837

On Thursday, July 09, 2015 the City of Moses Lake mailed to you by regular mail and return receipt mail a Notice of Violation and Order to Correct or Cease Activity within the time allowed by the City Code. The time specified in that Notice of Violation and Order to Correct or Cease Activity has expired without compliance. As of August 27, 2015, the nuisance located on the subject property has not been corrected or removed.

Pursuant to Moses Lake Municipal Code (MLMC) 8.14.070 the City of Moses Lake is giving you notice that it will conduct a hearing before the Moses Lake City Council at the Council's regular meeting on Tuesday, September 08, 2015 which is more than ten days from the date of this letter. That meeting will begin at 7:00 p.m. in the Council Chambers in the Moses Lake Civic Center. The purpose of this hearing is for the City Council to determine if a nuisance exists on your property and if a nuisance is found to exist to direct the abatement of that nuisance by use of City contracted forces. The cost of that abatement will be assessed against you as the owner of the subject property. At that hearing all persons interested in the abatement of the nuisance existing on the subject property will have the opportunity to be heard under oath. At that time, you may present all relevant evidence you wish for the City Council to consider, whether that be documents, photos, or live testimony from yourself or others. At the conclusion of that hearing, it is expected the City Council will determine if an abatement of a nuisance located on the subject property should take place and when.

**THIS HEARING IS IMPORTANT. YOUR FAILURE TO PARTICIPATE MAY IMPACT IMPORTANT RIGHTS IN YOUR PROPERTY.**

If you have any questions, you may contact the City Manager's Office at the Moses Lake Civic Center, 401 S. Balsam, Moses Lake, WA, phone 509-764-3701.

Sincerely,

Rick Rodriguez

Code Enforcement Officer

cc: City Manager  
City Attorney  
Community Development Director

Exhibit 4



## City of Moses Lake Project Update, September 2015

### Recently Completed Projects

Name	Address	Description	Date Completed
Boys & Girls Club	425 N. Paxson Dr	After school care facility on the grounds of Park Orchard Elementary	9-15-15
Nail salon	210 E. Third Ave.	Remodel for a nail salon near Papa Murphy's	9-4-15

### Permits Under Review

Name	Address	Notes	Date permit applied for
Solara Apartments	1300 block Nelson Rd	228 market rate apartments at South Campus. Plan review fees paid 9-15-15	9-10-15
All-Safe Self Storage	3825 Prichard	Add one 55' x 176' storage building to an existing mini-storage facility	9-10-15
WinCo Foods	Stratford/Central	58,285 grocery store. Environmental review only, no building permit yet.	9-3-15 (SEPA only)
Denny's	1590 E. Yonezawa	New restaurant at SR-17 & Yonezawa, near Lowe's. Review comments sent 8-24-15.	8-18-15
MACC 9-1-1	208 S. Hamilton	New Multi Agency Communication Center 9-1-1 dispatch center. 9-15-15: Ready to issue as soon as they submit signed covenant & recording fee.	8-6-15
Samaritan Hospital	801 E. Wheeler	Surgery remodel. Ready to issue 8-28-15.	8-5-15
Burger King	2461 S. Maiers Road	Upgrade existing restaurant. Review letter sent 6-24-15. Revisions submitted 9-8-15. Landscape issues.	6-22-15
Sleep Inn	3206 Lakeshore Ct.	Redeveloping Lakeshore Motel site with new Sleep Inn. Existing buildings will be replaced with new building. Shoreline permit only, no building permit yet. Environmental review issued 8-12-15. Public hearing on shoreline permit held 8-27-15	6-10-15 (shoreline)
Fairfield Inn	2380 S. Maiers Road	New 84-unit hotel. Review letters sent 6-11-15 & 7-14-15. 9-15-15: No new information	6-4-15
Panda Express	1029 N. Stratford	New stand-alone restaurant with drive-thru at Penn Plaza, near Starbucks, Blue Palm, etc. Review letters sent 5-6 & 5-11. Environmental review issued 6-16-15. Revised plans submitted 7-8-15, but still haven't addressed all issues noted on previous review. 8-18-15: Developer working on traffic flow issues. 9-3-15: Building Division approved plans. 9-15-15: still working on traffic issues	5-1-15
Commerce Park Building 4	8394 Doolittle	100,000 SF warehouse. Incomplete submittal. Review letter sent 4-20-15. Waiting	4-8-15

Name	Address	Notes	Date permit applied for
		for proponent to submit review fees, corrected plans, & environmental review. 8-17-15: staff has reminded them multiple times that application is incomplete. 9-11-15: Submitted environmental review but not building permit fees	
ComTech Building	5855 Patton	30,000 SF building. Incomplete submittal. Building review letter sent 4-21-15. Still waiting for proponent to submit review fees, corrected plans, & environmental review. 8-17-15: staff has reminded them multiple times that application is incomplete. 9-11-15: Proponent's representative says this project is on hold	4-8-15
Chelsea Park Apartments Evergreen Housing Development LLC	NW corner of Valley & Grape	180 market rate apartments in 12 buildings + leasing office. 1, 2, & 3 bedroom. 7 buildings will have 12 units, 4 buildings will have 24 units. Future permits for swimming pool, carports, & retaining wall. Review letters sent 3-10, 3-20, & 3-23.	3-4-15

#### Projects Under Construction

Name	Address	Date permit issued	Notes	Last inspection or status
Dog Park sign	1201 Paxson	9-11-15	Kiosk sign for the new dog park	No inspections called for yet
The Cutting Edge Salon	604 W. Third Ave	9-2-15	Remodel for a hair salon	No inspections called for yet
Data center	830 E. Broadway	8-31-15	Tenant improvement for a data center in an existing building	No inspections called for yet
Americold	3245 Road N	8-30-15	Fire pump building and water line installation.	No inspections called for yet
Maria's Restaurant	212 Division	8-20-15	Moved taco restaurant from W. Broadway to downtown	8-26-15. Hood assembly
Ten Pin Brewing Co.	1145 N. Stratford Rd	8-17-15	New brewery building.	9-15-15. Underground/Slab
Two Rivers Terminals	13583 Wheeler Rd	8-13-15	Adding a firewall in an existing building at a fertilizer manufacturer	8-19-15. Bond beams
Inspire	1109 S. Juniper Dr.	8-6-15	Migrant Head Start/School adding classrooms and parking.	No inspections called for as of 8-17-15. 9-15-15: No change
Marshalls	1020 N. Stratford	7-27-15	Tenant improvement for 3 <sup>rd</sup> of 4 spaces at Moses Lake Town Center	8-28-15. Ductwork
Century Link	4949 NE Randolph Rd	7-24-15	3 <sup>rd</sup> floor of Titan building (16,000 SF) being remodeled for a server farm	8-21-15. Piping Drain/Waste/Vent

Name	Address	Date permit issued	Notes	Last inspection or status
Key Bank	314 E. Third	7-22-15	Two permits for interior remodel	8-12-15. Framing
Lake View Baptist Church	935 W. Valley Road	7-14-15	Small addition to building & wall for chair lift	8-7-15. Shear wall
Walker's Furniture & Mattress	117 W. Broadway	7-14-15 7-1-15	Permits for reroof, replacing 7 rooftop HVAC units, and wall signs	7-8-15. HVAC final. Corrections needed. City waiting for approval by L&I on electrical before final approval. Scheduled 2 inspections for roofing, but did not arrange access to roof for inspector
Ice Cream Shop	101 W. Third Ave.	7-9-15	New ice cream shop in former aquarium store	9-4-15. Underground/slab; Drain/Waste/Valve
Super 8	449 Melva Lane	7-8-15	Add wall, redo counter.	7-9-15. Framing. 9-15-15: No change
Day Care	414 S. Burress	7-8-15	Converting a house into a day care center	9-9-15. Framing.
Pita Pit	324 W. Broadway	7-6-15	Remodeling former real estate office into restaurant. Same owners as Ephrata Pita Pit.	7-8-15. Underground plumbing 9-15-15: No change
Moses Lake School District Knolls Vista Elementary	454 W. Ridge Rd	7-1-15	Adding one portable classroom. The project triggered additional parking and a fire hydrant	8-13-15. Exterior water & sewer lines 9-15-15: Waiting for fire alarm system to be installed
Moses Lake School District Lakeview Elementary	780 S. Clover	6-30-15	Adding one portable classroom	8-4-15. Blocking. 9-15-15: Waiting for fire alarm system to be installed
Party City	1020 N. Stratford	6-1-15	Party supply store. Tenant improvement at Moses Lake Town Center to divide building to add a retail space next to Jo-Ann Fabrics.	9-4-15. Final inspection. Approved by Building Division, but Fire Dept. can't approve until fire extinguishers installed.
Granco Federal Credit Union	401 E. Fifth	5-27-15	New credit union next to Rite Aid.	8-25-15. Exterior sewer line
Garden Heights Elementary	707 E. Nelson Rd	5-26-15	Adding portable classroom.	7-14-15. Blocking. Inspection for fire alarm system set for 9-17-15
Michael's Bistro	221 W. Broadway	5-21-15	Addition to existing restaurant	6-30-15. Framing. As of 8-19, still working on exterior. 9-15-15: No change



Name	Address	Date permit issued	Notes	Last inspection or status
Sonico	6464 N. Patton	5-19-15	New building for aircraft repair.	Not started. 9-15-15: No change
Ag West	950 E. Broadway	3-17-15	Add a workshop/storage warehouse behind the existing building.	6-10-15. Framing & sewer 9-15-15: No change
Pro Touch Auto Detail	1028 W. Broadway	1-20-15	Repair of fire damage plus adding shop space.	2-12-15. Insulation. Owner contacted 7-21-15 to schedule final inspection. 9-15-15: No change
Moses Lake Veterinary Clinic	3918 E. Broadway	11-20-14	1283 SF addition.	3-23-15 final inspection. Some corrections needed. 9-15-15: No change
REC Silicon Fluid Bed Reactor addition	3322 Rd N NE	11-18-14	Adding 2 more reactors to increase production capacity	4-7-15 Slab inspection. 7-21-15: Work has stopped. Waiting for corrected plans from engineer for rest of building.
CannaCola	3426 Citation	6-14-14	Remodeling existing building into processing facility for marijuana-infused soda	3-5-15 Drywall inspection. Some changes to the plans. 8-19-15: No activity at site. Work appears to have stopped.
Benny's Tires	124 N. Block	4-14-14	Moving from existing location on Wheeler Road to new building on Block	6-25-15. Final inspection. Many corrections needed. 9-15-15: No change
Guild Mortgage	506 E. Hill	8-21-13	Remodel and expand existing office	7-21-15: Waiting on electrical final before building permit final. 8-19-15: Minor corrections needed on electrical, expect to complete by end of month. 9-15-15: No change

September 15, 2015

TO: Interim City Manager

FROM: Utility Service Supervisor

A handwritten signature in blue ink, appearing to be the initials 'JC' or similar, written in a cursive style.

SUBJECT: Investment Report

Attached is the Investment Report for the month of August, 2015.

Cc: Finance Director

Investment Report  
August

Investment With	Investment Type	Amount	Interest Rate	Purchase Date	Maturity Date	Interest Earned
Investments Outstanding						
Total Outstanding:						
Investment Maturities						
Grant County Invest Pool	Invest Acct	11,346,864.21	1.9455	08/01/2015	08/31/2015	18,703.76
Wa. State Invest Pool	Invest Acct	2,751,514.84	0.1560	08/01/2015	08/31/2015	357.06
Total Maturities:		14,098,379.05				
Investment Purchases						
Grant County Invest Pool	Invest Acct	11,365,567.97				
Wa. State Invest Pool	Invest Acct	2,891,993.03				
Total Purchases:		14,257,561.00				
Investment Totals						
Beginning Balance *		14,098,379.05				
Total Maturities		14,098,379.05				
Total Purchases		14,257,561.00				
Ending Balance *		14,257,561.00	Monthly Interest Earned		19,060.82	

\* Beginning Balance = Total Outstanding +Total Maturities

\*Ending Balance = Beginning Balance - Total Maturities +Total Purchases





September 16, 2015

Honorable Mayor and  
Moses Lake City Council

Dear Council Members

Attached is sales tax information for June 2015 sales which the City received on August July 31, 2015. This report indicates the City received \$536,287.09. The \$536,287.90 in receipts for June compares with June 2014 receipts of \$512,038.78.

For the year, the 2015 receipts are approximately 2.33% lower than the 2014 receipts for the same period.

Also provided is the transient rental income report for income the City received on August 31, 2015. This report indicates August 31, 2015 income (for June sales) of \$59,177.66. This compares with \$70,246.58 for the same period in 2014.

For the year, transient rental income receipts are approximately 1% higher than the 2014 receipts for the same period.

Respectfully submitted

Gilbert Alvarado  
Interim City Manager

GA:jt

Sales Tax Receipts - Monthly

Month Received	Sales Period	2011	2012	2013	2014	2015	YTD Change
Jan	Nov	367,830.83	403,504.15	401,499.05	430,110.34	437,747.56	1.78%
Feb	Dec	488,453.72	459,218.16	491,341.62	537,941.54	499,833.67	-3.15%
Mar	Jan	324,247.20	331,644.01	373,707.66	443,309.81	397,122.95	-5.43%
Apr	Feb	368,305.65	350,818.56	364,137.97	402,265.84	368,481.78	-6.09%
May	Mar	456,738.86	405,657.25	475,345.89	476,064.44	471,251.00	-5.03%
June	Apr	439,396.45	399,414.06	437,909.92	475,371.67	467,450.30	-4.45%
July	May	431,750.56	419,629.64	478,822.77	454,949.89	466,942.21	-3.45%
Aug	June	453,961.67	432,420.11	460,309.61	512,038.78	536,287.09	-2.33%
Sept	July	411,796.14	407,813.31	457,908.37	510,845.79		
Oct	Aug	446,905.90	455,185.85	511,513.84	475,742.68		
Nov	Sept	411,689.43	422,198.39	465,603.85	493,879.14		
Dec	Oct	406,648.97	424,167.87	441,278.01	437,266.10		
Totals		5,007,725.38	4,911,671.36	5,359,378.56	5,649,786.02	3,645,116.56	



TRANSIENT RENTAL INCOME - MONTHLY TOTAL RECEIVED						
MONTH RECEIVED	SALES PERIOD	2012	2013	2014	2015	YTD Change
JAN	NOV	25,073.90	37,239.62	33,221.58	45,363.54	37%
FEB	DEC	26,277.18	19,145.26	28,737.22	22,720.18	10%
MAR	JAN	28,091.94	32,692.16	26,058.10	29,287.72	11%
APRIL	FEB	22,286.68	22,967.86	31,468.50	32,320.66	9%
MAY	MAR	25,787.06	36,755.64	34,621.22	37,172.22	8%
JUNE	APRIL	35,334.86	38,830.04	41,151.98	41,878.80	7%
JULY	MAY	45,674.12	64,910.04	53,058.98	53,628.12	6%
AUGUST	JUNE	55,497.56	49,135.32	70,246.58	59,177.66	1%
SEPT	JULY	53,987.68	62,363.32	67,348.68		
OCT	AUGUST	57,117.62	68,846.76	63,268.00		
NOV	SEPT	46,866.78	57,668.74	56,268.68		
DEC	OCT	34,675.70	41,957.82	39,460.80		
TOTALS		456,671.08	532,512.58	544,910.32	321,548.90	