

MOSES LAKE CITY COUNCIL

Brent Reese
Jason Avila
Jon Lane

Bill Ecret
Mayor



Joseph K. Gavinski
City Manager

David Curnel
Karen Liebrecht
Dick Deane

October 8, 2013

AGENDA

Sophia Guerrero, Executive Secretary

Civic Center - Council Chambers
7:00 p.m.

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **IDENTIFICATION OF CITIZENS WANTING TO DISCUSS AGENDA ITEMS**
IDENTIFICATION OF CITIZENS WANTING TO DISCUSS NON-AGENDA ITEMS
4. **PRESENTATIONS AND AWARDS**
 - A. **New Employees**
5. **CONSENT AGENDA**
 - A. **Approval of Minutes - September 24, 2013**
 - B. **Approval of Bills and Checks Issued**
 - C. **Amend TIP – Set Date for Public Hearing**
 - D. **Resolution - Accept Street & Utility Improvements - Pelican Way 1 Major Plat**
6. **COMMISSION APPOINTMENTS**
 - A. **Parks & Recreation Commission - Appointment Request - Connor Lange**
 - B. **Lodging Tax Advisory Committee - Appointment Request - Tim Molitor**
7. **CONSIDERATION OF BIDS AND QUOTES - None**
8. **PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS**
 - A. **Communication - Health District Update - Jeff Ketchel, Administrator**
 - B. **Communication - Proposed Homeless Shelter - Anthony Graham**
9. **ORDINANCES AND RESOLUTIONS**
 - A. **Ordinance - Amend MLMC 10.12 Parking Regulations - 1st Reading**
 - B. **Ordinance - Amend MLMC 16.48 Fire Hydrants - 1st Reading**
 - C. **Ordinance - Amend MLMC 18.58 Signs - 1st Reading**
 - D. **Resolution - Repealing Resolution No. 3200**
 - E. **Resolution - Nuisance Abatement Costs - Espinoza**
 - F. **Resolution - Nuisance Abatement Costs - McCourtie**
 - G. **Resolution - Nuisance Abatement Costs - Huff**

Finance W. Robert Taylor	Municipal Services Gary Harer	Police Chief Dave Ruffin	Parks & Recreation Spencer Grigg	Fire Chief Tom Taylor	Community Development Gilbert Alvarado	City Attorney Katherine L. Kenison
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9. **ORDINANCES AND RESOLUTIONS - cont'd**
 - H. **Resolution - Nuisance Abatement - Medel**
 - I. **Resolution - Nuisance Abatement - Martinez**
 - J. **Resolution - Nuisance Abatement - Womboldt**
10. **REQUEST TO CALL FOR BIDS - None**
11. **REFERRALS FROM COMMISSIONS - None**
12. **OTHER ITEMS FOR COUNCIL CONSIDERATION - None**
13. **NON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS**
14. **COUNCIL QUESTIONS AND COMMENTS**
15. **CITY MANAGER REPORTS AND COMMENTS**

Finance W. Robert Taylor	Municipal Services Gary Harer	Police Chief Dave Ruffin	Parks & Recreation Spencer Grigg	Fire Chief Tom Taylor	Community Development Gilbert Alvarado	City Attorney Katherine L. Kenison
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MOSES LAKE CITY COUNCIL
September 24, 2013

Council Present: Bill Ecret, Dick Deane, Jon Lane, Karen Liebrecht, Jason Avila, David Curnel, and Brent Reese

The meeting was called to order at 7 p.m. by Mayor Ecret.

PLEDGE OF ALLEGIANCE: Mayor Ecret led the Council in the pledge of allegiance.

PRESENTATION AND AWARDS

DOE - LARSON AND SAND DUNES WASTEWATER TREATMENT PLANTS - AWARD

Mike Hepp, Compliance Officer, Department of Ecology, presented an award for exemplary performance to the City for perfect compliance with state regulations in 2012 for both the Sand Dunes and Larson Wastewater Treatment Plants. He mentioned that it is very difficult for a wastewater treatment facility to earn this award and he commended the employees that work in this division. He pointed out that the Larson Wastewater Treatment Plant has earned this award for the last five years.

CONSENT AGENDA

Approval of Claims, Prepaid Claims, Checks, and Payroll: Vouchers audited and certified by the Finance Director as required by RCW 42.24.080, and those expense reimbursement claims, certified as required by RCW 42.24.090, have been recorded on a listing which has been made available to the Council for approval and is retained for public inspection at the Civic Center. As of September 24, 2013 the Council does approve for payment claims in the amount of \$305,587.08; prepaid claims in the amount of \$87,057.44; claim checks in the amount of \$2,272,629.36; and payroll in the amount of \$340,565.46.

Polo Ridge #2 Preliminary Major Plat: Schneider Homes submitted a preliminary plat for 16 single family lots on 4.12 acres located north of Crestview Drive and east of Paxson Drive. The area is zoned R-1, Single Family Residential, which corresponds with the Comprehensive Plan Land Use Designation of Low Density Residential. A waiver was requested for side lot line angle for one lot and a deferral was requested to allow a temporary gravel cul-de-sac on Polo Ridge Drive. The Planning Commission recommended that the preliminary plat be approved with conditions. Council's approval of this decision incorporates and adopts the Findings, Conclusion and Decision of the Planning Commission.

Action Taken: Mr. Deane moved that the Consent Agenda be approved, seconded by Mr. Avila, and passed unanimously.

Minutes: The minutes of the September 10 meeting were presented for approval.

Action Taken: Dr. Curnel moved that the minutes be approved with the correction to show that Dr. Curnel was present, seconded by Mrs. Liebrecht, and passed unanimously.

COMMISSION APPOINTMENTS - None

CONSIDERATION OF BIDS AND QUOTES - None

PETITIONS, COMMUNICATIONS, OR PUBLIC HEARINGS - None

ORDINANCES AND RESOLUTIONSORDINANCE - AMEND 2.46 - TOURISM COMMISSION - 2ND READING

An ordinance was presented which reduces the Tourism Commission from 7 to 5 members.

The ordinance amending Chapter 2.46 of the Moses Lake Municipal Code entitled "Tourism Commission" was read by title only.

Action Taken: Dr. Curnel moved that the second reading of the ordinance be adopted, seconded by Mr. Lane, and passed unanimously.

RESOLUTION - ACCEPT GRANT - WALMART FOUNDATION

A resolution was presented which accepts a \$1,500 grant from the Walmart Foundation. The funds will be used to purchase digital cameras for the police officers while on patrol.

The resolution accepting a grant from the Walmart Foundation was read by title only.

Action Taken: Mr. Avila moved that the resolution be adopted, seconded by Mr. Reese, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT COSTS - HESTER

A resolution was presented which authorizes staff to collect the funds expended for the nuisance abatement at 2603 Texas. The property is owned by Dorothy Hester.

The resolution establishing the billing to be imposed against Dorothy Hester, as the owner of certain real property upon which the City caused abatement of a nuisance to be performed after a failure of the property owner to abate the same was read by title only.

Action Taken: Mrs. Liebrecht moved that the resolution be adopted, seconded by Dr. Curnel, and passed unanimously.

RESOLUTION - NUISANCE ABATEMENT - 3793 PENINSULA

A resolution was presented which provides for the abatement of nuisances at 3793 Peninsula. The property is owned by Yvonne Parker.

The resolution determining that Yvonne L. Parker 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 was read by title only.

Clair Harden, Code Enforcement Officer, was sworn in and provided testimony concerning this issue.

There was no other testimony. The hearing was closed.

Action Taken: Mr. Deane moved that the resolution be adopted, seconded by Dr. Curnel, and passed unanimously.

RESOLUTION - ABANDON EASEMENT - ANDERSON

A resolution was presented which provides for the abandonment of the 5' public utility easement on the west side of Lot 3, Moses Lake Industrial Park Replat of Lots 8 and 10, Block 4, located at 3326 Citation Road.

The resolution authorizing abandonment of an easement was read by title only.

Gilbert Alvarado, Community Development Director, stated that the East Columbia Irrigation District has an easement along the rear of the property and so long as there is no encroachment into their easement they have no problems with the abandonment.

Action Taken: Mr. Reese moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

RESOLUTION - GREAT WASHINGTON SHAKEOUT

A resolution was presented which supports the City's participation in the Great Washington Shakeout "Drop Cover and Hold On" earthquake drill on October 17 at 10:17 a.m.

The resolution of intent to participate in the Great Washington Shakeout and Work Toward Becoming a Safer Community was read by title only.

Action Taken: Mr. Lane moved that the resolution be adopted, seconded by Mr. Avila, and passed unanimously.

REQUEST TO CALL FOR BIDS - NoneREFERRALS FROM COMMISSIONS - NoneOTHER ITEMS FOR COUNCIL CONSIDERATION - NoneNON-AGENDA ITEMS AND PUBLIC QUESTIONS AND COMMENTS - NoneCOUNCIL QUESTIONS AND COMMENTSWEEDS

Mayor Ecret pointed out that there are a number of vacant lots with tall weeds that interfere with sight distance at corners. The current ordinance should be amended to address these vacant lots.

Gilbert Alvarado, Community Development Director, explained that the current policy requires a property owner to remove weeds a distance of 10' back from the sidewalk but does not require weed removal on the entire lot.

Joseph K. Gavinski, City Manager, gave some background on the current weed removal policy.

There was considerable discussion on how to address the weeds and staff was directed to provide an amendment to the ordinance to deal with the entire lot.

CITY MANAGER REPORTS AND COMMENTSLONGVIEW TRACTS SEWER UPDATE

Gilbert Alvarado, Community Development Director, stated that 180 lots have connected to the recently installed City sewer in Longview Tracts. The owners of the remaining 32 lots have indicated they are unable to connect because of the approximate \$5,000 cost to do so. There is a possibility that the City could establish a program to fund the cost of connection.

Joseph K. Gavinski, City Manager, stated that such a project would be about \$180,000 and would consist of connecting the 32 lots that have not connected and charging them on their utility bills on a monthly basis over a period of time to cover the cost and interest.

There was some discussion and it was the consensus of the Council that staff proceed with financing the connecting of the 32 lots to the City sewer.

INVESTMENT REPORT

The City received \$17,287.21 in investment income for August.

The regular meeting was adjourned at 7:50 p.m.

ATTEST

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
2M COMPANY INC	00004450			
		0000067651	202.08	MISC SUPPLIES
		=====		
		TOTAL:	202.08	
ACE HARDWARE	00006538			
		0000067356	22.64	MISC SUPPLIES
		0000067593	9.96	MISC SUPPLIES
		0000067593	108.34	MISC SUPPLIES
		0000067593	78.46	MISC SUPPLIES
		=====		
		TOTAL:	219.40	
AMERICAN LINEN	00004927			
		0000067667	363.28	LINEN SERVICE
		=====		
		TOTAL:	363.28	
CASCADE ANALYTICAL INC	00005014			
		0000067604	2,098.00	SAMPLE TESTING
		0000067604	1,805.14	SAMPLE TESTING
		=====		
		TOTAL:	3,903.14	
CINTAS CORPORATION LOC 607	00000271			
		0000067603	21.58	SHOP TOWEL SERVICE
		0000067603	21.58	SHOP TOWEL SERVICE
		0000067603	291.12	SHOP TOWEL SERVICE
		=====		
		TOTAL:	334.28	
CSWW, INC dba BIG R STORES	00001701			
		0000067359	47.99	MISC SUPPLIES
		0000067359	1.82	MISC SUPPLIES
		0000067637	269.74	MISC SUPPLIES
		0000067637	370.04	MISC SUPPLIES
		0000067637	248.13	MISC SUPPLIES
		0000067637	21.49	MISC SUPPLIES
		0000067637	43.15	MISC SUPPLIES
		=====		
		TOTAL:	1,002.36	

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
DATABAR	00007974			
		0000067670	989.85	MAIL UTILITY BILLS
		0000067670	694.07	MAIL UTILITY BILLS
		0000067670	406.94	MAIL UTILITY BILLS
		0000067670	135.64	MAIL UTILITY BILLS
		0000067670	174.30	MAIL UTILITY BILLS
		=====		
		TOTAL:	2,400.80	
FERGUSON ENTERPRISES INC #3202	00005482			
		0000067363	46.11	MISC SUPPLIES
		0000067607	310.87	WRENCHES
		=====		
		TOTAL:	356.98	
H D FOWLER COMPANY	00003868			
		0000067614	917.48	MISC REPAIR PARTS
		0000067614	500.60	MISC REPAIR PARTS
		=====		
		TOTAL:	1,418.08	
INLAND PIPE & SUPPLY COMPANY	00003727			
		0000067616	4.53	PVC PIPE, REPAIR KIT
		0000067616	118.92	PVC PIPE, REPAIR KIT
		=====		
		TOTAL:	123.45	
LAD IRRIGATION COMPANY INC	00001101			
		0000067585	303.72	TURF LID
		0000067515	39.36	PVC/GASKET SUPPLIES
		0000067550	5.21	FILTER CARTRIDGE ROPE
		=====		
		TOTAL:	348.29	
LAKE AUTO PARTS	00001102			
		0000067619	622.98	MISC REPAIR SUPPLIES
		=====		
		TOTAL:	622.98	
LES SCHWAB TIRE CENTER	00003519			
		0000067432	345.02	PARK TRAILER BEARINGS/SEAL
		=====		
		TOTAL:	345.02	
PENHALLURICKS EXPRESS BUILDING	00006579			
		0000067633	237.78	CONCRETE MIX, SAND

DATE 10/04/13
TIME 08:56:39

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
PENHALLURICKS EXPRESS BUILDING	00006579	0000067633	8.93	CONCRETE MIX, SAND
		TOTAL:	246.71	
PLATT ELECTRIC COMPANY	00001549	0000067634	19.32	MISC SUPPLIES
		0000067634	191.46	MISC SUPPLIES
		0000067634	666.08	MISC SUPPLIES
		0000067634	9.71	MISC SUPPLIES
		0000067634	103.07	MISC SUPPLIES
		TOTAL:	989.64	
WESTERN EQUIPMENT DIST INC	00004582	0000067646	55.06	THROTTLE CABLE
		TOTAL:	55.06	
WOODARD AUTO & TRUCK	00005559	0000067645	383.05	CLEAN GROUNDS
		TOTAL:	383.05	
		REPORT TOTAL:	13,314.60	

DATE FRI, OCT 4, 2013, 8:56 AM
TIME 08:56:40

TOTALS PAGE
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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

TOTALS BY FUND

FUND	FUND NAME	AMOUNT
000	GENERAL FUND	967.84
116	STREET	347.39
410	WATER/SEWER	8,744.99
490	SANITATION FUND	406.94
493	STORM WATER	135.64
498	AMBULANCE SERVICE FUND	537.58
519	EQUIPMENT RENTAL	1,352.21
528	BUILD MAINTENANCE	822.01
	TOTAL	13,314.60

CHANGES TO BE MADE SHOULD BE LISTED BELOW.

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN
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CORRECT AMOUNT TO BE PAID

C L A I M S A P P R O V A L

WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE
OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT
IN THE AMOUNT OF \$13,314.60 THIS 8TH DAY OF OCTOBER, 2013

.....
COUNCIL MEMBER

.....
COUNCIL MEMBER

.....
COUNCIL MEMBER

.....
FINANCE DIRECTOR

DATE 10/04/13
TIME 10:03:23

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
A & H PRINTERS	00000001	0000067548	133.12	YOUTH SPORTS FLYERS
		0000067652	32.15	PRINTING
		0000067591	75.53	BUSINESS CARDS-MADDOX
		0000067675	185.05	DOOR KNOB HANGERS
		TOTAL:	425.85	
A P B P	00006214	0000067544	100.00	MEMBERSHIP FEES
		TOTAL:	100.00	
A T & T MOBILITY	00004826	0000067701	26.88	CELL PHONE SERVICE
		0000067701	278.86	CELL PHONE SERVICE
		0000067701	26.90	CELL PHONE SERVICE
		0000067701	1,249.50	CELL PHONE SERVICE
		0000067701	150.03	CELL PHONE SERVICE
		0000067701	32.21	CELL PHONE SERVICE
		0000067701	72.39	CELL PHONE SERVICE
		0000067701	72.37	CELL PHONE SERVICE
		0000067701	40.48	CELL PHONE SERVICE
		0000067701	94.10	CELL PHONE SERVICE
		0000067701	83.64	CELL PHONE SERVICE
		0000067701	15.72	CELL PHONE SERVICE
		TOTAL:	2,143.08	
ALLIANCE TECHNOLOGY LLC	00006427	0000067592	135.91	REPLACE BROKEN PART
		TOTAL:	135.91	
ASSOC OF GRANT CO CITIES	00004953	0000067557	144.00	DINNER MEETING
		TOTAL:	144.00	
BARBARA NICKERSON	00007028			

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		0000067568	35.70	CARDS
		=====		
		TOTAL:	35.70	
BARRACUDA NETWORKS INC	00007306	0000067671	3,099.00	SOFTWARE MAINTENANCE
		=====		
		TOTAL:	3,099.00	
BASIN SEPTIC SERVICES	00000166	0000067357	75.00	SEPTIC SERVICES
		0000067357	258.96	SEPTIC SERVICES
		0000067357	129.48	SEPTIC SERVICES
		0000067357	129.48	SEPTIC SERVICES
		0000067357	64.74	SEPTIC SERVICES
		=====		
		TOTAL:	657.66	
BATTERY SYSTEMS	00004673	0000067597	48.56	BATTERY
		=====		
		TOTAL:	48.56	
BOUND TREE MEDICAL LLC	00006022	0000067563	1,781.56	AMBULANCE SUPPLIES
		=====		
		TOTAL:	1,781.56	
BRENTS AUTOMATIC TRANS SERVICE	00006783	0000067594	766.09	REPLACE SENSOR
		=====		
		TOTAL:	766.09	
BUD CLARY CHRYSLER DODGE JEEP	00005449	0000067598	21.77	ANTIFREEZE
		=====		
		TOTAL:	21.77	
BUD CLARY FORD	00006454	0000067596	169.97	REPAIR CHK ENGINE LIGHT
		=====		
		TOTAL:	169.97	
BUSINESS INTERIORS & EQUIPMENT	00003619	0000067595	79.84	DATE STAMP
		=====		
		TOTAL:	79.84	
CAROL CROSS	00004253	0000067569	133.00	CRANES
		=====		
		TOTAL:	133.00	
CAROL HOHN	00006772	0000067611	175.00	BLDG MAINT CONTRACT PYMT

DATE 10/04/13
TIME 10:03:23

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
		=====		
		TOTAL:	175.00	
CARTEGRAPH SYSTEMS INC	00005700			
		0000067689	2,610.00	SUBSCRIPTION RENEWAL
		0000067689	2,160.00	SUBSCRIPTION RENEWAL
		=====		
		TOTAL:	4,770.00	
CENTRAL MACHINERY SALES INC	00002779			
		0000067601	673.62	GUTTER BROOMS
		=====		
		TOTAL:	673.62	
CENTURYLINK	00003599			
		0000067582	8.00	LONG DISTANCE SERVICE
		0000067582	8.00	LONG DISTANCE SERVICE
		0000067582	40.00	LONG DISTANCE SERVICE
		0000067582	40.00	LONG DISTANCE SERVICE
		=====		
		TOTAL:	96.00	
	00001502			
		0000067581	41.89	TELEPHONE SERVICE
		0000067584	149.68	TELEPHONE SERVICE
		=====		
		TOTAL:	191.57	
	00003599			
		0000067582	70.00	LONG DISTANCE SERVICE
		=====		
		TOTAL:	70.00	
	00001502			
		0000067581	218.96	TELEPHONE SERVICE
		=====		
		TOTAL:	218.96	
	00003599			
		0000067582	20.50	LONG DISTANCE SERVICE
		=====		
		TOTAL:	20.50	
	00001502			
		0000067584	213.33	TELEPHONE SERVICE
		0000067581	126.48	TELEPHONE SERVICE
		=====		
		TOTAL:	339.81	
	00003599			
		0000067582	4.00	LONG DISTANCE SERVICE

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		TOTAL: 4.00	
	00001502	0000067584 44.70	TELEPHONE SERVICE
		0000067581 258.86	TELEPHONE SERVICE
		TOTAL: 303.56	
	00003599	0000067582 10.00	LONG DISTANCE SERVICE
		TOTAL: 10.00	
	00001502	0000067584 112.58	TELEPHONE SERVICE
		TOTAL: 112.58	
	00003599	0000067583 116.83	SHUT OFF NOTIFICATIONS
		0000067583 80.31	SHUT OFF NOTIFICATIONS
		0000067583 44.74	SHUT OFF NOTIFICATIONS
		0000067583 14.91	SHUT OFF NOTIFICATIONS
		TOTAL: 256.79	
	00001502	0000067584 44.05	TELEPHONE SERVICE
		0000067581 41.89	TELEPHONE SERVICE
		TOTAL: 85.94	
	00003599	0000067583 27.16	SHUT OFF NOTIFICATIONS
		TOTAL: 27.16	
	00001502	0000067581 2,635.60	TELEPHONE SERVICE
		TOTAL: 2,635.60	
	00003599	0000067582 26.63	LONG DISTANCE SERVICE
		0000067582 4.00	LONG DISTANCE SERVICE

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		=====		
		TOTAL:	30.63	
	00001502	0000067581	172.58	TELEPHONE SERVICE
		=====		
		TOTAL:	172.58	
	00003599	0000067582	4.00	LONG DISTANCE SERVICE
		=====		
		TOTAL:	4.00	
CITY OF MOSES LAKE	00008107	0000067578	14.37	EXCISE TAX
		0000067578	711.39	EXCISE TAX
		0000067578	43.19	EXCISE TAX
		0000067578	163.59	EXCISE TAX
		0000067578	28.81	EXCISE TAX
		0000067578	98.77	EXCISE TAX
		=====		
		TOTAL:	1,060.12	
	00008201	0000067692	6,933.86	WATER SERVICE
		0000067692	1,740.54	WATER SERVICE
		=====		
		TOTAL:	8,674.40	
	00008107	0000067578	49.23	EXCISE TAX
		0000067578	1.12	EXCISE TAX
		0000067578	65.46	EXCISE TAX
		0000067578	19.20	EXCISE TAX
		0000067578	10.01	EXCISE TAX
		0000067578	10.20	EXCISE TAX
		=====		
		TOTAL:	155.22	
	00008201	0000067692	512.82	WATER SERVICE
		0000067692	1,362.19	WATER SERVICE

DATE 10/04/13
TIME 10:03:23

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CITY OF MOSES LAKE
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COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		0000067692 2,472.32	WATER SERVICE
		=====	
		TOTAL: 4,347.33	
	00008107		
		0000067578 29.97	EXCISE TAX
		0000067578 30.18	EXCISE TAX
		=====	
		TOTAL: 60.15	
	00008201		
		0000067692 387.98	WATER SERVICE
		=====	
		TOTAL: 387.98	
	00008107		
		0000067578 35,690.61	EXCISE TAX
		0000067676 500,000.00	TRANS FUNDS/W/S TO GEN
		0000067578 7,480.20	EXCISE TAX
		0000067578 2,554.27	EXCISE TAX
		=====	
		TOTAL: 545,725.08	
	00008106		
		0000067710 1,557.75	RETAIN PE 1 PEC SWR LINE 2013
		0000067705 1,964.28	RETAIN PE 5 POW LFT STATION 13
		0000067708 1,408.18	RETAIN PE 1 KELAYE BLU HRN RST
		=====	
		TOTAL: 4,930.21	
	00008107		
		0000067578 10,968.87	EXCISE TAX
		0000067578 1,502.60	EXCISE TAX
		=====	
		TOTAL: 12,471.47	
	00008106		
		0000067710 105.55	RETAIN PE 1 PEC SWR LINE 2013
		=====	
		TOTAL: 105.55	
	00008107		
		0000067578 98.18	EXCISE TAX
		0000067578 2,853.46	EXCISE TAX
		0000067578 229.88	EXCISE TAX
		0000067578 24.53	EXCISE TAX

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
CITY OF MOSES LAKE	00008107	0000067578	20.88	EXCISE TAX
		TOTAL:	3,226.93	
COLUMBIA BASIN DAILY HERALD	00000210	0000067687	512.08	PUBLICATIONS
		TOTAL:	512.08	
COLUMBIA BASIN UMPIRES	00006385	0000067554	1,850.00	SOFTBALL UMPIRE FEES
		TOTAL:	1,850.00	
COMFORT SUITES	00007678	0000067590	758.22	CONCERT PERFORMER LODGING
		TOTAL:	758.22	
COMMERCIAL TIRE	00005968	0000067602	158.59	NEW TIRES
		0000067602	1,647.97	NEW TIRES
		TOTAL:	1,806.56	
CONFLUENCE HEALTH	00005069	0000067558	82.00	DOT/CDL PHYSICALS
		TOTAL:	82.00	
CONSOLIDATED DISPOSAL SERVICE	00006284	0000067695	86.86	DISPOSAL LOADS
		0000067695	18.82	DISPOSAL LOADS
		0000067695	25,452.88	DISPOSAL LOADS
		TOTAL:	25,558.56	
CONSOLIDATED ELECTRIC DIST	00000819	0000067662	10.88	MISC SUPPLIES
		TOTAL:	10.88	
CROWN PAPER & JANITORIAL	00007120	0000067600	1,871.68	MISC CLEANING SUPPLIES
		TOTAL:	1,871.68	
DANNA DAL PORTO	00007795	0000067570	70.00	ARTWORK
		TOTAL:	70.00	
DB SECURE SHRED	00003144	0000067700	6.89	RECORDS DESTRUCTION

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
		0000067700 6.88	RECORDS DESTRUCTION
		0000067700 13.78	RECORDS DESTRUCTION
		0000067700 13.78	RECORDS DESTRUCTION
		=====	
		TOTAL: 41.33	
DEPT OF LABOR & INDUSTRIES	00005832	0000067605 153.80	ANNUAL OPER CERTIFICATE
		=====	
		TOTAL: 153.80	
DESERT GREEN TURF	00007180	0000067546 120.00	SOD
		=====	
		TOTAL: 120.00	
DIRCIO'S LANDSCAPING	00004208	0000067694 593.45	MOW & REMOVE WEEDS
		=====	
		TOTAL: 593.45	
E F RECOVERY	00007244	0000067561 848.10	ABMULANCE BILLING
		0000067561 4,461.10	ABMULANCE BILLING
		=====	
		TOTAL: 5,309.20	
EASTERN CASCADE DIST	00006909	0000067650 54.50	DRINKING WATER
		=====	
		TOTAL: 54.50	
ENDRESS & HOUSER	00007693	0000067606 1,970.49	TRANSDUCER/WELL 11
		=====	
		TOTAL: 1,970.49	
FABER INDUSTRIAL SUPPLY	00000501	0000066980 160.83	MISC SUPPLIES
		0000067608 72.99	IMPACT WRENCH, TOOLS
		0000067608 182.35	IMPACT WRENCH, TOOLS
		=====	
		TOTAL: 416.17	
FASTENAL COMPANY	00007372	0000067609 17.48	MISC SUPPLIES
		0000067609 2,219.42	MISC SUPPLIES
		0000067609 10.89	MISC SUPPLIES
		=====	
		TOTAL: 2,247.79	

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
FEDERAL EXPRESS	00004667	0000067696	9.01	SHIPPING CHARGES
		TOTAL:	9.01	
GENERAL PACIFIC	00004937	0000067635	80.74	STRAINER
		0000067018	17,856.37	METER READ SYS UPGRADES
		TOTAL:	17,937.11	
GERALD RICHARDSON	00003202	0000067702	72.00	REIMB MILEAGE
		TOTAL:	72.00	
GRAINGER PARTS OPERATIONS	00002755	0000067610	271.71	MISC CLEANING SUPPLIES
		TOTAL:	271.71	
GRANT COUNTY DISTRICT COURT	00007843	0000067577	1,500.00	MUNI COURT SHARED COSTS
		TOTAL:	1,500.00	
GRANT COUNTY TECHNOLOGY	00005535	0000067656	60.00	SERVICES
		TOTAL:	60.00	
GRANT COUNTY TREASURER	00000607	0000067674	941.68	LIQUOR PROFITS
		TOTAL:	941.68	
HAIX NORTH AMERICA INC	00004523	0000067698	130.00	UNIFORMS
		TOTAL:	130.00	
HANSEN SUPPLY COMPANY	00007461	0000067613	499.26	LABELING TAPE
		TOTAL:	499.26	
HELENA CHEMICAL COMPANY	00006809	0000067553	731.13	BATTLESHIP/HARDBALL
		TOTAL:	731.13	
HOCHSTATTER ELECTRIC	00000705	0000067612	16.56	CAPACITOR
		TOTAL:	16.56	
IBS INC	00004860	0000067615	581.48	MISC REPAIR SUPPLIES

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000067615	28.26	MISC REPAIR SUPPLIES
		TOTAL:	609.74	
JAMES & TERESA WENTLAND	00007938	0000067545	112.00	HORSEMANSHIP INSTRUCTION
		TOTAL:	112.00	
JEFF SURESLY	00006863	0000067697	21.18	REIMBURSE
		TOTAL:	21.18	
JERRYS AUTO SUPPLY	00005835	0000067547	577.05	MISC MAINTENANCE SUPPLIES
		0000067560	55.31	SAW CHAIN, TUBING
		0000067560	2.90	SAW CHAIN, TUBING
		0000067617	145.65	RADIATOR
		TOTAL:	780.91	
JUDY THOMPSON	00003825	0000067573	7.00	TABLE MAT
		TOTAL:	7.00	
KATHERINE L KENISON	00006980	0000067707	5,376.00	PROF SERVICE CITY ATTY
		TOTAL:	5,376.00	
KELAYE CONCRETE LLC	00004466	0000067706	28,980.34	PE 1 BLU HRN PRK RSTRM 2013
		TOTAL:	28,980.34	
KIM WHEATON	00007002	0000067566	45.15	CATALOG/CARDS
		TOTAL:	45.15	
LAKE BOWL	00001109	0000067672	107.90	CO-ED SOFTBALL TROPHIES
		TOTAL:	107.90	
LAURA CASTELLANOS	00004902	0000067572	14.00	T-SHIRT
		TOTAL:	14.00	
LAW ENFORCEMENT EQUIP DIST	00005679	0000067690	212.46	SUPPLIES
		TOTAL:	212.46	

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
LINDSAY/CULLIGAN	00005289	0000067556	19.08	MAC/PARKS WATER
		0000067556	20.16	MAC/PARKS WATER
		0000067618	50.16	BOTTLED WATER
		=====		
		TOTAL:	89.40	
LOCALTEL COMMUNICATIONS	00004374	0000067688	3,019.25	INTERNET SERVICE
		=====		
		TOTAL:	3,019.25	
LUCY DOLE	00007052	0000067567	33.74	EARRINGS
		=====		
		TOTAL:	33.74	
MANUEL MORENO JR	00005691	0000067620	85.00	REIMB CDL CERT
		=====		
		TOTAL:	85.00	
MCMaster CARR SUPPLY COMPANY	00005385	0000067623	157.65	FASTENERS, SCREWS
		=====		
		TOTAL:	157.65	
MID-AMERICAN RESEARCH CHEM	00005055	0000067622	119.77	STOCK SUPPLIES
		=====		
		TOTAL:	119.77	
MIDAS AUTO SERVICE EXPERTS	00005124	0000067621	83.50	INSTALL NEW MUFFLER
		=====		
		TOTAL:	83.50	
MOON SECURITY SERVICES INC	00006510	0000067655	41.50	MONTHLY MONITORING
		=====		
		TOTAL:	41.50	
MOSES LAKE STEEL SUPPLY	00001268	0000067649	37.23	MISC SUPPLIES
		0000067649	24.19	MISC SUPPLIES
		0000067624	129.62	SIGN MATERIAL
		0000067624	206.21	SIGN MATERIAL
		=====		
		TOTAL:	397.25	
MSI MARTIAL ARTS ACADEMY	00007322	0000067551	36.00	KICKBOXING INSTRUCTION

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number	P.O. Amount	Purpose of Purchase
		0000067551	264.00	KICKBOXING INSTRUCTION
		TOTAL:	300.00	
MULTI AGENCY COMM CENTER E911	00006695	0000067654	37,293.75	USER FEE
		0000067555	801.00	USER FEES/OCT
		0000067555	4,137.75	USER FEES/OCT
		TOTAL:	42,232.50	
NATL ALLIANCE FOR YOUTH SPORTS	00007279	0000067666	120.00	BEGINNING SOCCER MEMBERSHIP
		TOTAL:	120.00	
NATL FIRE PROTECTION ASSOC	00001307	0000067574	1,320.90	SUBSCRIPTION SERVICE
		TOTAL:	1,320.90	
NORTH CENTRAL WASHINGTON FENCE	00006902	0000067625	6.26	RAIL ENDS
		TOTAL:	6.26	
NORTH RIDGE MACHINE	00005625	0000067562	151.49	LENGTHEN THREAD-WRENCHES
		TOTAL:	151.49	
NORTHLAND CABLE	00006282	0000067587	73.22	LRC CABLE SERVICE
		TOTAL:	73.22	
NORTHSTAR CHEMICAL INC	00006113	0000067626	2,432.95	SODIUM HYPO
		TOTAL:	2,432.95	
OASIS AUTO SPA	00004834	0000067627	354.00	CAR WASHES
		TOTAL:	354.00	
OGDEN MURPHY WALLACE INC	00006727	0000067559	1,135.23	PROF SERVICE/AT & T
		TOTAL:	1,135.23	
OREILLY AUTO PARTS	00004593	0000067628	47.10	MECHANICS GLOVES
		TOTAL:	47.10	
OXARC INC	00001412	0000067629	77.36	GLOVES, NITROGEN

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account		Purpose of Purchase
		P.O. Number	P.O. Amount	
OXARC INC	00001412			
		0000067629	10.28	GLOVES, NITROGEN
		0000067629	26.84	GLOVES, NITROGEN
		=====		
		TOTAL:	114.48	
PARKSON CORP	00006891			
		0000067630	500.54	SCREEN BASKET
		=====		
		TOTAL:	500.54	
PETTY CASH REVOLVING FUND	00001540			
		0000067576	20.08	REIMB PETTY CASH
		=====		
		TOTAL:	20.08	
PINNACLE PUBLIC FINANCE INC	00005179			
		0000067580	10,859.50	#37A LEASE PYMT/OCT
		0000067580	629.82	#37A LEASE PYMT/OCT
		=====		
		TOTAL:	11,489.32	
PLANNED & ENGINEERED CONST	00005505			
		0000067709	32,058.50	PE 1 SEWER LINING 2013
		0000067709	2,172.22	PE 1 SEWER LINING 2013
		=====		
		TOTAL:	34,230.72	
PNC EQUIPMENT FINANCE LLC	00007085			
		0000067579	112.72	#36 LEASE PYMT/OCT
		0000067579	5.25	#36 LEASE PYMT/OCT
		0000067579	15,540.94	#36 LEASE PYMT/OCT
		0000067579	724.36	#36 LEASE PYMT/OCT
		=====		
		TOTAL:	16,383.27	
POLLARDWATER.COM	00006064			
		0000067632	46.78	STRAINER
		=====		
		TOTAL:	46.78	
POW CONTRACTING	00005344			
		0000067704	40,424.77	PAY EST 5 LIFT STATION 2013
		=====		
		TOTAL:	40,424.77	
PROTECT YOUTH SPORTS	00004626			
		0000067686	72.00	BACKGROUND CHECKS
		0000067686	117.00	BACKGROUND CHECKS

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

NAME OF VENDOR	VENDOR NO	Expenditure Account		
Department	Object Description	P.O. Number	P.O. Amount	Purpose of Purchase
=====				
		=====		
		TOTAL:	189.00	
PUMPTECH INC	00007639			
		0000067631	1,130.01	REPLACE CHLORINE PUMP
		=====		
		TOTAL:	1,130.01	
QUILL CORPORATION	00004811			
		0000067575	130.39	MISC SUPPLIES
		0000067636	47.44	MISC SUPPLIES
		0000067636	35.97	MISC SUPPLIES
		=====		
		TOTAL:	213.80	
REBEKKA VAN DER DOES	00004973			
		0000067571	24.50	PENDANT
		=====		
		TOTAL:	24.50	
SCHAEFFER MFG COMPANY	00003823			
		0000067640	1,234.48	SYNTHETIC OIL
		=====		
		TOTAL:	1,234.48	
SHERWIN-WILLIAMS	00006229			
		0000067648	404.05	MISC SUPPLIES
		0000067641	278.77	PAINT AND SUPPLIES
		=====		
		TOTAL:	682.82	
SHIRTBUILDERS INC	00004022			
		0000067673	205.54	CO-ED SOFTBALL SHIRTS
		=====		
		TOTAL:	205.54	
SIGNS NOW	00007051			
		0000067638	1,075.04	GRAPHICS
		=====		
		TOTAL:	1,075.04	
SIRENNET.COM	00007692			
		0000067639	694.16	POLICE CAR EQUIP
		=====		
		TOTAL:	694.16	
SPECTRUM COMMUNICATIONS	00002691			
		0000067642	252.08	REPAIR RADIOS
		=====		
		TOTAL:	252.08	
STEWART/ SECURITY TITLE	00001853			
		0000067658	283.23	TITLE RPRT RXR PROP STRMWTR A
		0000067658	94.42	TITLE RPRT RXR PROP STRMWTR A

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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
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NAME OF VENDOR Department	VENDOR NO Object Description	Expenditure Account P.O. Number P.O. Amount	Purpose of Purchase
=====			
		TOTAL: 377.65	
TATUM LAWN CARE	00005928	0000067668 134.88	WEED REMOVAL/TEXAS ST
=====			
		TOTAL: 134.88	
THOMSON REUTERS - WEST	00004968	0000067669 493.11	LEGAL BOOKS
=====			
		TOTAL: 493.11	
TIMEMARK INC	00005461	0000067523 80.54	GAMMA BATTERIES
=====			
		TOTAL: 80.54	
TYCO INC	00004451	0000067643 21.54	OIL
		0000067643 127.30	OIL
=====			
		TOTAL: 148.84	
USPS/PB POSTAGE BY PHONE	00007859	0000067564 6,000.00	POSTAGE FOR MACHINE
=====			
		TOTAL: 6,000.00	
WA CITIES INSURANCE AUTHORITY	00006720	0000067703 5,759.05	INSURANCE DEDUCTIBLE
=====			
		TOTAL: 5,759.05	
WASH FINANCE OFFICERS ASSOC	00002208	0000067565 65.00	REGIS/TAYLOR/SEMINAR
=====			
		TOTAL: 65.00	
WESTERN PETERBILT INC	00006802	0000067644 158.60	ALTERNATOR
=====			
		TOTAL: 158.60	
YUM YUM DELI	00006565	0000067691 400.75	MEALS
=====			
		TOTAL: 400.75	
ZIGGYS #13	00006567	0000067647 77.04	MISC SUPPLIES
=====			
		TOTAL: 77.04	
=====			
		REPORT TOTAL: 877,754.14	

DATE FRI, OCT 4, 2013, 10:03 AM
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TOTALS PAGE
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CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

TOTALS BY FUND

FUND	FUND NAME	AMOUNT
000	GENERAL FUND	73,152.89
102	TOURISM ACTIVITIES	758.22
103	GRANTS AND DONATIONS	30.36
116	STREET	4,657.20
275	EQUIPMENT LEASES	117.97
410	WATER/SEWER	576,503.41
477	WATER SEWER CONSTRUCTION	106,393.82
490	SANITATION FUND	36,466.49
493	STORM WATER	6,601.60
495	AIRPORT	291.05
498	AMBULANCE SERVICE FUND	14,346.20
503	SELF-INSURANCE	5,759.05
517	CENTRAL SERVICES	15,094.00
519	EQUIPMENT RENTAL	33,316.11
528	BUILD MAINTENANCE	4,265.77

CITY OF MOSES LAKE
TABULATION OF CLAIMS TO BE APPROVED
COUNCIL MEETING OF 10/08/2013

TOTALS BY FUND

FUND	FUND NAME	AMOUNT
-----	-----	-----
	TOTAL	877,754.14

CHANGES TO BE MADE SHOULD BE LISTED BELOW.

VEND NO.	P.O. NO.	AMT LISTED	CORRECTED AMT	ACTION TO BE TAKEN
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.....
.....
.....

CORRECT AMOUNT TO BE PAID

C L A I M S A P P R O V A L

WE, THE UNDERSIGNED COUNCILMEN OF THE CITY OF MOSES LAKE, WASHINGTON, DO HEREBY CERTIFY THAT THE MERCHANDISE
OR SERVICES SPECIFIED HAVE BEEN RECEIVED AND THAT ABOVE CLAIMS ARE APPROVED, AS NOTED, FOR PAYMENT
IN THE AMOUNT OF \$877,754.14 THIS 8TH DAY OF OCTOBER, 2013

.....
COUNCIL MEMBER

.....
COUNCIL MEMBER

.....
COUNCIL MEMBER

.....
FINANCE DIRECTOR

October 2, 2013

TO: City Manager
For Council Consideration

FROM: Municipal Services Director

**SUBJECT: AMEND SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM
2014 - 2019 - SET DATE FOR PUBLIC HEARING**

A public hearing is required when Council adopts the Six Year Street Transportation Improvement Program. Revised Code of Washington requires the adoption of a Six Year Transportation Improvement Program and is required to be eligible for Federal and State Highway grants.

Staff recommends that Council schedule October 22nd, 2013 as the date for the public hearing and consideration for the resolution.

Respectfully Submitted,



for
Gary G. Harer, PE/PLS
Municipal Services Director

encl.

GH;tv

cc: ASMD/City Engineer

October 1st, 2013

TO: City Manager
For City Council Consideration

FROM: Municipal Services Director

**SUBJECT: ACCEPT STREET AND UTILITY IMPROVEMENTS
PELICAN WAY 1 MAJOR PLAT**

The attached resolution is presented to the City Council for acceptance of street and utility improvements, lying in dedicated right-of-way or easements, as part of the Pelican Way 1 Major Plat. These improvements have been constructed in accordance with the City of Moses's Lake's Street and Utility Standards.

The attached resolution and site plan is attached for council consideration.

Respectfully submitted,



for Gary G. Harer, PE/PLS
Municipal Services Director

GH;tv

cc: Development Engineer - Russell Brown

RESOLUTION NO.

**A RESOLUTION ACCEPTING STREET AND UTILITY IMPROVEMENTS FOR
MUNICIPAL USE AS PART OF THE PELICAN WAY 1 MAJOR PLAT**

Recitals:

1. Street and Utility improvements, lying in dedicated right-of-way or easements, are in place and connected to the City of Moses Lake's street and utility systems as part of the Pelican Way 1 Major Plat.
2. Said street and utility improvements have been installed in accordance with the City of Moses Lake's Community Standards, such installation being completed in September, 2013.
3. RCW 35.91.030 indicated that public street and utility facilities, which are developer installed should be accepted by the City of Moses Lake upon completion if the facilities are built to city standards.

Resolved:

1. The City Council of the Moses Lake accepts the street and utility improvements as facilities of the City of Moses Lake and as such will charge for use of such facilities as authorized by ordinance, contingent upon the Pelican Way 1 Major Plat being approved and recorded.
2. After October 8th, 2015, all further maintenance and operation cost of said street and utility improvements, shall be borne by the City of Moses Lake, as provided by city ordinance.

ACCEPTED by the City Council on October 8th, 2013.

Bill J. Ecret, Mayor

ATTEST:

W. Robert Taylor, Finance Director





September 27, 2013

TO: Council Members
FROM: Mayor Bill Ecret
RE: Appointment to the Parks and Recreation Commission

I have received a letter requesting appointment to the Parks and Recreation Commission from Mr Connor Lange.

It is my intention to honor this request at the October 8, 2013, Council meeting.

If you have any comments for or against this appointment please contact me prior to Tuesday's meeting. I have included the letter for your review.

BJE:sg

cc: City Manager

September 27, 2013

Dear Mr. Ecret,

I am submitting this letter of interest to serve as my request to be considered for a position on the Moses Lake Parks and Recreation Advisory Committee. I have a very strong interest in importance of Parks and Recreational programs for a small town community. I graduated from Western Washington University this past December with a Bachelor's degree in Environmental Studies: Policy and Urban Planning, with the classes which discussed how to build communities around recreation and how to ensure the development of safe parks for people to interact in. I have been inspired to participate in the future of Moses Lake, having grown up in this community I have developed a desire to give back to the place where I call home. I grew up participating in the Parks and Recreation sports programs, Ice skating and playing tennis at Mccosh Park. I want to advocate for greater community involvement in the youth and adult sports programs and events utilizing the parks around town. I am excited about the prospect of sitting on the commission.

Please feel free to contact me to further discuss my interest. I look forward to hearing from you.

Sincerely,

Connor Lange
4114 Shorecrest Dr. NE
Moses Lake, WA 98837
509-855-2556



October 2, 2013

TO: Council Members

FROM: Mayor Bill Ecret

RE: Appointment to the Lodging Tax Advisory Committee

I have received a letter requesting an appointment to the Lodging Tax Advisory Committee from Mr. Tim Molitor.

It is my intention to honor this request at the October 8, 2013, Council meeting.

If you have any comments for or against this appointment please contact me prior to Tuesday's meeting. I have included the letter for your review.

BJE:sg

cc: City Manager

October 2, 2013

To: Mayor Bill Ecret

Re: Appointment to the Lodging Tax Advisory Committee

Thank you for considering me for the Moses Lake Lodging Tax Advisory Committee. I have nine years in the hotel business here in Moses Lake managing the Holiday Inn Express, Ramada, and the Inn at Moses Lake. I feel like I can bring a new point of view from a hotel standpoint that can help grow the community and benefit the business's here in Moses Lake. I will be dedicated and do my best to help Moses Lake grow to the potential that it has.

Best Regards,

Tim Molitor, CHA
Moses Lake Inns, Inc
tim_molitor@hotmail.com
cell: 509-771-1898

Schooling:

*Moses Lake High School class of 05'

*Big Bend CC: AA Degree 06'

*Washington State University: BS in Hospitality Business Management class of 08'

*CHA (certified hotel administrator) since 2009

Work:

Moses Lake Inns, Inc.: 9 years

Molitor Development: off and on for 5 years

Moses Lake History:

*moved to Moses Lake in 1994.

October 03, 2013

To: City Council Members

From: Anthony Graham

Subject: City of Moses Lake property located at 819 Penn St

I have recently toured the city property located at 819 Penn St. with the weather declining and the growing need for shelter of the homeless, needy and mentally ill, it is in my opinion that the City of Moses Lake could better serve its community by providing a service to them in the form of a warming shelter. I propose that the City of Moses Lake allow me to facilitate the building located (the old administration building) on 819 Penn St.

Since the City of Moses Lake already pays utilities for the building and it is not in use at present time I would like to use it as a warming shelter that is open at a certain time and allows people to come in out of the elements and sleep. If food is provided by volunteers patrons would be allowed to have a hot meal.

This said property at 819 Penn St. is centrally located and would be ideal for this facility because it is already on the GTA route, near Samaritan Health Care, Safeway, Rite-Aid, and WorkSource. I would personally volunteer to maintain the warming shelter nightly unless there are other volunteers of the community and local churches that would be willing to also assist.

City Council Members, I have served on the Grant County Homeless Task Force and lived in Moses Lake for approximately a year and half now and have observed the homeless population to be significant and a valid concern and would appreciate your consideration and support on this matter.

Sincerely,
Anthony Graham



October 1, 2013

Honorable Mayor and
Moses Lake City Council

Dear Council Members


Attached is a proposed ordinance amending Chapter 10.12 of the Moses Lake Municipal Code entitled "Parking Regulations".

The proposed amendment to the ordinance provides that no vehicle should be parked within 15 feet of a fire hydrant, including private parking lots, with a few exceptions.

The proposed amendment is suggested so as to allow the Fire Department access to the fire hydrants in case of need.

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

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 10.12 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "PARKING REGULATIONS"

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

Section 1. Chapter 10.12 of the Moses Lake Municipal Code entitled "Parking Regulations" is amended as follows:

10.12.070 Accessible and Fire Lane Parking Violations and Penalties:

- A. It is unlawful for any person to park a motor vehicle in a parking space for use by persons who qualify for special parking privileges as indicated by signage in compliance with RCW 46.61.581, or by signage displaying the international symbol of access described under RCW 70.92.120 upon the parking surface or upon a sign between thirty-six inches (36") and eighty-four inches (84") off the ground unless such person shall display, as provided by the laws of the State of Washington, a special card, decal, or license plate issued under RCW 46.16.381.
- B. It is unlawful for any person to park a motor vehicle in any area marked as a fire lane by the Fire Chief, so designated by a red curb or signage between thirty-six inches (36") and eighty-four inches (84") above ground, except for Fire Department, Police Department, or Municipal Services vehicles in the performance of official duties.
- C. No person shall stop, park, or leave standing any vehicle within fifteen feet (15') of a fire hydrant, to include private parking lots except as follows:
 - 1. If the vehicle is attended by a licensed driver who is seated in the front seat and who can immediately move such vehicle in case of necessity.
 - 2. If the vehicle is owned or operated by a fire department and is clearly marked as a fire department vehicle.
- DG. Any person violating subsection A above shall be deemed to have committed a parking infraction that is punishable by a non-suspendable, non-deferrable penalty of two hundred fifty dollars (\$250).
- ED. Any person violating subsection B above shall be deemed to have committed a parking infraction that is punishable by a non-suspendable, non-deferrable penalty of one hundred seventy-five dollars (\$175).

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 October 22, 2013.

ATTEST:

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



October 1, 2013

Honorable Mayor and
Moses Lake City Council

Dear Council Members

Attached is a proposed ordinance amending Chapter 16.48 of the Moses Lake Municipal Code entitled "Fire Hydrants".

The proposed amendment provides that privately owned fire hydrants located in parking lots shall be posted with signage indicating "No Parking Within 15 Feet".

The purpose of the ordinance is to be able to provide access to the fire hydrants by the Fire Department in case of need.

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

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG;jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 16.48 OF THE MOSES LAKE MUNICIPAL
CODE ENTITLED "FIRE HYDRANTS"

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

Section 1. Chapter 16.48 of the Moses Lake Municipal Code entitled "Fire Hydrants" is amended as follows:

16.48.085 Ownership:

- A. City owned fire hydrants are those fire hydrants that are located within right-of-way or a municipal easement, provided that the fire hydrant has been accepted by the City Council.
- B. Privately owned fire hydrants are those fire hydrants that are not described in Section A. All maintenance, repairs, and operations on private fire hydrants are the owner's responsibility.
- C. Privately owned fire hydrants located in parking lots shall be posted with signage indicating "No Parking Within 15 Feet".

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 October 22, 2013.

Bill J. Ecret, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney

October 2, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Ordinance - Amend 18.58 - Signs - 1st Reading

Attached is an ordinance that amends MLMC Chapter 18.58, Signs, to include language regulating outdoor alcohol advertising as directed by the City Council. The proposed language included in the ordinance is taken from WAC 314-52-070, Outdoor Advertising, which is currently used by the Washington State Liquor Control Board to regulate signs advertising alcohol products. The WAC permits a business a maximum of four (4) outdoor alcohol advertising signs with a size limitation of 11.11 square feet per sign.

The proposed ordinance would not change the overall sign area allowed to a business but would limit the amount of sign area to be used for outdoor alcohol advertising as part of a business' overall sign area to what is allowed by WAC 314-52-070.

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

Respectfully submitted

A handwritten signature in blue ink, appearing to read 'G. Alvarado', is written over the typed name.

Gilbert Alvarado
Community Development Director

GA:jt

ORDINANCE NO.

AN ORDINANCE AMENDING CHAPTER 18.58 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "SIGNS"

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

Section 1. Chapter 18.58 of the Moses Lake Municipal Code entitled "Signs" is amended as follows:

18.58.030 Sign Regulations:

- A. Only a sign as defined in Section 18.58.020.OO is subject to the provisions of this chapter.
- B. A sign type that is listed "A" in the following table is allowed to be displayed, subject to the applicable sign regulations listed in this section and in the table.
- C. A sign type that is listed "P" in the following table is prohibited from display, unless it is a non-conforming sign as provided in Section 18.58.090.
- D. A sign type that is listed "E" in the following table is exempt from the provisions of this chapter.
- E. A sign type that is not listed in the following table is not allowed to be displayed.
- F. A sign shall comply with applicable provisions of the State Building Code and Chapter 16.02 of this code entitled Building Permits.
- G. A sign is subject to Chapter 8.14 of this code entitled Nuisances.
- H. State law (RCW 70.54.090) prohibits the attachment of a sign to a utility pole.
- I. No sign is allowed on or over right-of-way except as approved by City Council for city streets. No sign is allowed within right-of-way of the interstate or primary system where there are no curbs. A sign may be allowed within right-of-way of the primary system where there are curbs and other streets, subject to the following conditions and circumstances:
 - 1. A projecting sign is allowed over a sidewalk in right-of-way in the C-1 Zone and in the C-2 Zone where the building is not set back from right-of-way, provided that the sign does not project more than eighty percent (80%) of the distance between the right-of-way line and back of curb line, and there is a minimum of eight feet (8') vertical clearance under the sign
 - 2. A political sign is allowed in right-of-way subject to the remainder of the applicable sign regulations in this section and in the following table.
- J. No permanent sign is allowed on or over a public utility easement.
- K. A permanent sign may be allowed over but not on a municipal easement, upon approval by the Municipal Services Director.
- L. Every sign shall be maintained in a safe and secure manner. A torn, broken, hazardous, dilapidated, or outdated sign, as determined by the Building Official, shall be repaired, replaced, or removed.
- M. The City Engineer shall review each application for a sign permit for sight distance. The City Engineer shall consider whether a sign would be located or constructed so as to obscure or obstruct an official traffic sign, signal, or device, or obstruct a motorist's view of approaching, merging, or intersecting traffic before approving or disapproving the application.

- N. Internal or external sign lighting shall be shaded, hooded, site screened, or directed so that the light's intensity or brightness shall neither adversely affect adjacent or nearby property, nor create a public nuisance, nor create a traffic hazard.
- O. A sign may be located within the front or exterior yard (as defined in sections 18.06.630 and 18.06.650 of this title) but shall not be located in the interior side or rear yard (as defined in sections 18.06.650 and 18.06.640 of this title).
- P. Where electronic signs are allowed, the following conditions apply:
1. The message shall have a static display time of at least two (2) seconds after moving on to the signboard, with all segments of the total message to be displayed within ten (10) seconds.
 2. Displays may travel horizontally or scroll vertically onto electronic signboards, but must hold in a static position for two (2) seconds after completing the travel or scroll.
 4. Electronic signs requiring more than four (4) seconds to change from one (1) single message display to another shall be turned off during the change interval.
 5. No electronic sign lamp may be illuminated to a degree of brightness that is greater than necessary for adequate visibility. In no case may the brightness exceed eight thousand (8,000) nits or equivalent candelas during daylight hours, or one thousand (1,000) nits (illuminative brightness measurement), or equivalent candelas between dusk and dawn. Signs found to be too bright shall be adjusted as directed by the City of Moses Lake.
 6. Minimum height for the sign shall be thirteen feet (13') from grade of the adjacent roadway to the bottom of sign.
 7. The sign background shall not be white in color. White lights shall not be used as the sign background.
 8. Businesses, churches, or schools are allowed changeable signs providing that changeable displays in residential zones shall be turned off between the hours of 10 p.m. and 7 a.m.
- Q. No sign shall be erected or maintained if it is visible from the main traveled way of the interstate or primary system except as permitted by Washington Administrative Code Chapter 468-66 entitled HIGHWAY ADVERTISING CONTROL ACT or Revised Code of Washington Chapter 47.42 entitled HIGHWAY ADVERTISING CONTROL ACT - SCENIC VISTAS ACT.
- R. Signs constructed of temporary sign materials, as defined in Section 18.58.010.TT, shall not be used as a permanent sign. Any sign that does not currently meet this standard must be removed within ninety (90) days.

SIGN REGULATIONS

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Abandoned	P	NA	NA	NA	NA
Architectural Appendage	A	Sign may be flush-mounted or suspended under the architectural appendage	see Building sign	R	Sign allowed only in commercial and industrial zones. If the sign is suspended, there shall be at least 8' clearance above grade.

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Billboard	P	NA	NA	NA	NA
Building	See specific types of building signs	See specific types of building signs	The total area of building signs shall not exceed 25% of the overall area of each facade. None of this allowance is transferable from one facade to another facade. No individual building sign shall exceed 15% of the overall area of a facade.	See specific types of building signs	Sign allowed in commercial, industrial, agricultural, and municipal airport zones. Allowed in R-3 Zone on a site with a conditional use, with review and approval of the Planning Commission according to Section 18.58.110 of this chapter.
Changeable Copy	A	25' for Free-standing, Freeway or Freeway Interchange sign, or wall height for Wall sign	See Building, Freeway or Freeway Interchange, Free-standing, or Temporary Free-standing or Portable sign	R	Sign allowed only in commercial and industrial zones.
Community	A	See Building or Free-standing signs.	See Building, Free-standing, and Temporary Free-standing or Portable signs for other sign area regulations.	R if free-standing sign; NR if building sign	Sign allowed only in commercial, industrial, and public zones. Sign shall be temporary.
Construction	A	8'	32 sq. ft. per street frontage per construction site	NR	Sign may be erected a maximum of 30 days prior to start of construction, and shall be removed within 30 days after the end of construction. Sign shall be non-illuminated. Limited to one sign per street frontage per site.
Dilapidated or hazardous condition as determined by Building Official	P	NA	NA	NA	NA
Directional - Commercial	A	6' for Free-standing sign; same as for wall sign	8 sq. ft. per sign	R	Sign allowed only in commercial
Directional - Industrial	A	15' for Free-standing sign; same as for wall sign	55 sq. ft. per sign	R	Sign allowed only in industrial zones

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Directory	A	Same as for Free-standing, and Freeway or Freeway Interchange sign	See Building, Freeway or Freeway Interchange, or Free-standing sign	R	Sign allowed only in commercial and industrial zones, or on a site with a conditional use in the R-3 Zone. Prior to issuance of a sign permit, a sign for a conditional use in the R-3 Zone shall require Planning Commission review and approval according to Section 18.58.110 of this chapter.
Electronic	A	25'	50 sq. ft. per site. Area of electronic signs is included within the maximum area allowed for free-standing or building signage	R	Sign allowed only in Commercial, Industrial, and Public Zones. Additional requirements for electronic signs are found in Section 18.58.030, Sign Regulations. Electronic signs must also meet the requirements for the type of sign (free-standing or building).
Flashing	P	NA	NA	NA	NA
Freeway or Freeway Interchange or Wheeler Corridor Heavy Industrial	A	45'	350 sq. ft. per site	R	Allowed only in commercial and industrial zones. Wheeler Corridor signs allowed only in the Wheeler Corridor Heavy Industrial Area. Off-site signs shall not be allowed.

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Free-standing	A	25'	150 square feet per site in a commercial or industrial zone, except that a site which has street frontage exceeding 300 lineal feet is allowed 150 square feet per increment of 300 lineal feet of street frontage. A site where there is a conditional use in the R-3 Zone is allowed any combination of free-standing and building signs not to exceed a total of 12 square feet, except as provided in Other Sign Regulations in this row.	R	Sign allowed only in commercial and industrial zones or on a site where there is a conditional use in the R-3 Zone. A site without street frontage shall be limited to one free-standing sign structure. The number of free-standing sign structures that are allowed on a site with street frontage shall be limited to two per increment of 300 lineal feet of street frontage. If a site exceeds one free-standing sign structure, then the structures shall be separated a minimum of 100 lineal feet. Landscaping (as defined in section 18.57.030.A of this title) is required around the base of a new free-standing sign. The landscaping perimeter for a pole sign shall be not less than the largest sign dimensions as vertically projected to the ground. The landscaping perimeter for all other free-standing signs shall be not less than 1' larger than the base of the sign structure. Prior to issuance of a sign permit, a free-standing sign on a vacant site, or where there is a conditional use in the R-3 Zone, shall require Planning Commission review and approval according to Section 18.58.110 of this chapter.
Garage Sale	A	NA	NA	NR	Sign allowed in all zones. The sign shall not be displayed for more than four consecutive days.
Government Flags	E	NA	NA	NA	NA
Home Occupation	A	Same as for Wall sign	2 sq. ft. per residential dwelling unit with home occupation license	R	Sign shall be a non-illuminated wall sign. Limited to one sign per residential dwelling unit with home occupation license.
Incidental	A	Same as for Wall, Freeway, Freeway Interchange, and Freeway signs	2 sq. ft. per sign	NR	Shall be non-illuminated and on-site.
Monument	A	8'	Same as for Free-standing Sign	R	Sign allowed only in commercial and industrial zones
Non-conforming	See Section 18.58.090 for limitations on non-conforming signs				
Official Sign or Legal Notice	E	NA	NA	NA	NA

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Open, Closed, Business Hours, Address, or Greeting	E	NA	NA	NA	NA
<u>Outdoor Alcohol Advertising</u>	<u>A</u>	<u>See Temporary Sign</u>	<u>See WAC 314-52-070, Outdoor advertising</u>	<u>NR</u>	<u>See Temporary Sign</u>
Political (candidate or issue)	A	8'	32 square feet per sign	NR	Shall be removed within 10 days after an election. May be located on private property with permission from property owner. May be placed in right-of-way adjacent to the private property of the abutting land owner and only with the permission of the private property owner/abutting land owner, provided that it is not in a location or condition that is prohibited.
Private Warning/ Directional	E	NA	NA	NA	NA
Projecting Sign	A	Same as for Wall or Architectural Appendage sign	See Building sign	R	See Section 18.58.030 I of this chapter
Public Facility Directional Sign	A	8'	35' sq. ft.	R	Sign allowed only in the public zone
Public or Recreational Identification	A	Same as for Free-standing or Building sign	See Free-standing or Building sign	R	Allowed in commercial, industrial, and public zones
Public Zone (other than Public or Recreational Facility Identification signs)	A	Same as for Free-standing or Building sign	see Free-standing or Building sign	R	Requires Planning Commission approval according to Section 18.58.110.
Real Estate - Other	A	8' for Free-standing Sign; wall height for Building Sign	32 sq. ft. per sign	NR	Shall be non-illuminated. Shall be removed from display within five days after sale, lease, or rent.
Real Estate - Residential Lot	A	8'	6 sq. ft. per sign	NR	Shall be non-illuminated. Shall be removed from display within one day after sale, lease, or rent.
Residential Identification	A	8'	32 sq. ft. per site	R	Allowed in residential zones. Requires Planning Commission review and approval according to Section 18.58.110 of this chapter.

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Residential Subdivision	A	8'	32 sq. ft. per residential subdivision, manufactured home binding site plan or residential planned development	R	N/A
Roof	A	10' above roof height as measured from intersection of the roof and lowest point of the sign, sign structure, or point of attachment	See Building sign	R	Allowed in commercial and industrial zones.
Sandwich Board	A	4'	8 sq. ft. each face	R	Sign allowed only in commercial and industrial zones. May be located in right-of-way adjacent to the site that is the object of the sign with Community Development Department approval. Otherwise, sign shall be on-site. Shall be removed from display at the end of each business day.
Sign which could be confused with or obstructs the view of a traffic sign or signal, as determined by City Engineer	P	NA	NA	NA	NA
Sign which restricts ingress to or egress from a building	P	NA	NA	NA	NA
Sign on vehicle other than Vehicle sign	P	NA	NA	NA	NA
Temporary Sign on Fence	A	Height of fence	32 sq. ft. per street frontage	NR	Allowed only for community signs, as defined in this chapter

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
Temporary Sign on free-standing structure or Portable	A	See Free-standing if on free-standing structure; 8' height if portable	32 sq. ft. per street frontage per site. If no street frontage, then 32 sq. ft. per site. The total sign area shall be restricted to one, contiguous, designated area per street frontage. The designated area shall not exceed 12 lineal feet parallel to street frontage.	R - one time per location. Ownership change of business license requires new sign permit.	Allowed only in commercial and industrial zones. Sign shall be repaired, replaced, or removed when torn, worn, broken, or dilapidated. Sign shall be specific to a product or event, and shall not include the business name or hours. Off-site signs shall not be allowed, except that the Planning Commission may allow a temporary sign on a vacant site pursuant to 18.58.100.
Temporary Gas Pump	A	NA	2 sq. ft. per sign, one sign per dispenser	NR	NA
Temporary Sign On Wall	A	Same as Wall sign	See Building sign Signs shall be framed. One sign per building allowed if unframed.	NR	Allowed only in commercial and industrial zones. Sign shall be repaired, replaced, or removed when torn, worn, broken, or dilapidated. Sign shall be specific to a product or event, and shall not include the business name or hours. Off-site signs shall not be allowed. Signs shall not be located on out buildings.
Traffic Control	E	NA	NA	NA	NA
Vehicle	A	Flush-mounted to vehicle	NA	NR	Non-illuminated
Wall	A	The sign shall be contained within the outline of the facade.	See Building sign	R	NA
Wayfinding	A	N/A	N/A	R	Signs shall not create traffic, pedestrian, or other safety hazards, and shall comply with state traffic guidelines. Signs installed must be consistent with the provisions of the Destination Development, Inc. for the branding, marketing, and signage identification. The size, type, and locations of a sign should be compatible with the area in which it is being proposed.
Window or Door	A	The sign shall be contained within the perimeter of the window or door	See Building sign	NR for temporary sign; R for permanent sign	NA

Sign Type	Prohibited, Allowed, or Exempt	Maximum Sign Height	Maximum Sign Area	Sign Permit	Other Sign Regulations
A = Allowed E = Exempt NA = Not Applicable NR = Not Required P = Prohibited R = Required					

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 October 22, 2013.

Bill J. Ecret, Mayor

ATTEST:

W. Robert Taylor, Finance Director

APPROVED AS TO FORM:

Katherine L. Kenison, City Attorney



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[314-52-050](#) << [314-52-070](#) >> [314-52-080](#)

WAC 314-52-070

[Agency filings affecting this section](#)

Outdoor advertising.

(1) "Outdoor advertising" by manufacturers, importers, distributors, and retail licensees for these purposes shall include all signs affixed or hanging in the windows and on the outside of the premises visible to the general public from the public right of way, advertising the sale and/or service of liquor, excluding trade name and room name signs.

(2) The board limits each retail licensed premises to a total of four signs referring to alcoholic beverages, brand names, or manufacturers that are affixed or hanging in the windows and on the outside of the premises that are visible to the general public from the public right of way. The board also limits the size of a sign advertising alcohol, brand names, or manufacturers that are affixed or hanging in the windows and on the outside of the premises that are visible to the general public from the public right of way to sixteen hundred square inches.

"Sign" is defined as a board, poster, neon, or placard displayed to advertise.

A local jurisdiction has the option to exempt liquor licenses in their jurisdiction from the outdoor advertising restrictions in this section through a local ordinance.

(3) Outdoor signs shall be designed, installed, and in compliance with all liquor advertising rules. These rules include, but are not limited to:

- (a) WAC [314-52-015](#) which contains advertising prohibitions; and
- (b) WAC [314-52-110](#) which contains advertising requirements by a retail licensee.

(4) Prior board approval is not required before installation and use of outdoor advertising; however, outdoor advertising not in compliance with board rules will be required to be altered or removed at the licensee's expense. If prior approval is desired, the licensee, applicant or their agent may submit a copy to the board for approval.

(5) No outdoor advertising of liquor except in subsection (2) of this section, shall be placed within five hundred feet of schools, places of worship, public playgrounds, or athletic fields used primarily by minors where the administrative body of said schools, churches, public playgrounds or athletic fields object to such placement, or any place which the board in its discretion finds contrary to the public interest. "Tourist Oriented Directional Signs" per RCW [47.36.320](#), are exempt from this requirement.

The five hundred foot distance for outdoor advertising is measured from the property line of the school, place of worship, public playground or athletic field to the outdoor advertising.

[Statutory Authority: RCW [66.08.030](#), [66.08.060](#), and [66.28.010](#). WSR 10-06-122, § 314-52-070, filed 3/3/10, effective 4/3/10. Statutory Authority: RCW [66.08.030](#), [15.88.030](#), [19.126.020](#), [66.04.010](#), [66.08.180](#), [66.16.100](#),

66.20.010, 66.20.300, 66.20.310, 66.24.150, 66.24.170, 66.24.185,
66.24.200, 66.24.206, 66.24.210, 66.24.230, 66.24.240, 66.24.244,
66.24.250, 66.24.375, 66.24.380, 66.24.395, 66.24.400, 66.24.420,
66.24.425, 66.24.440, 66.24.450, 66.24.455, 66.24.495, 66.24.540,
66.28.010, 66.28.040, 66.28.050, 66.28.170, 66.28.180, 66.28.190,
66.28.200, 66.28.310, 66.44.190, 66.44.310, 66.98.060 and 82.08.150.
WSR 98-18-097, § 314-52-070, filed 9/2/98, effective 10/3/98. Statutory
Authority: RCW 66.08.060. WSR 86-15-041 (Order 191, Resolution No.
200), § 314-52-070, filed 7/16/86. Statutory Authority: RCW 66.08.030 and
66.98.070. WSR 82-17-031 (Order 108, Resolution No. 117), § 314-52-
070, filed 8/11/82. Statutory Authority: RCW 66.08.030, 66.08.060 and
66.98.070. WSR 80-09-078 (Order 73, Resolution No. 82), § 314-52-070,
filed 7/18/80; WSR 78-02-056 (Order 62), § 314-52-070, filed 1/20/78;
Order 46, § 314-52-070, Rule 122, filed 6/9/76; § 314-52-070, filed
10/27/70, effective 11/27/70; Order 2, § 314-52-070, filed 5/1/69; Rule 122,
filed 6/13/63.]



October 1, 2013

Honorable Mayor and
Moses Lake City Council

Dear Council Members

Attached is a resolution repealing Resolution 3200 and adopting a new resolution setting forth the policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the City and setting forth an annexation policy for the City of Moses Lake.

The proposed resolution makes some technical changes to the previous policy set forth in Resolution 3200 as shown in the proposed resolution.

The proposed resolution is presented to you for your consideration.

Respectfully submitted



Joseph K. Gavinski
City Manager

JKG:jt

RESOLUTION NO.

A RESOLUTION REPEALING RESOLUTION 3200 AND ADOPTING A NEW RESOLUTION SETTING FORTH A POLICY WITH REGARD TO THE PROVISION OF WATER AND/OR SEWER UTILITIES OUTSIDE THE CORPORATE LIMITS OF THE CITY AND SETTING FORTH AN ANNEXATION POLICY FOR THE CITY OF MOSES LAKE, WASHINGTON

Recitals:

1. Previously the City Council adopted Resolution No. ~~3200~~ 2543 setting forth a policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the City and setting forth an annexation policy for the City of Moses Lake, Washington.
2. That policy is now ~~repealed~~ amended, without repeal, by this resolution which adopts a new resolution setting forth a policy with regard to the provision of water and/or sewer utilities outside the corporate limits of the City and setting forth an annexation policy for the City of Moses Lake, Washington.

Resolved:

1. The following definitions shall be applicable to the terms used in this resolution.

Contiguous Lands means any lands touching or abutting the corporate limits of the City and any lands within one half mile of the corporate limits of the City as measured at the point the corporate limits and the involved lands are closest together.

Non-Contiguous Lands means any lands beyond one half mile of the corporate limits of the City as measured at the point the corporate limits and the involved lands are closest together.

Provision, Delivery, or Furnishing City Water and/or Sewer Utilities means the extension of water and/or sewer mains, or tapping into an existing water and/or sewer main by a lateral to serve a customer, or the expansion of an existing water and/or sewer use, or any combination of these.

City Water means potable water delivered from the water utility system operated by the City.

City Sewer means the sanitary sewerage collection utility system operated by the City.

City Utility Service or Water and/or Sewer Utilities means City water and/or City sewer.

Adjacent Lands means any lands located immediately adjacent to a city water and/or city sewer main within the city's Urban Growth Area (UGA) and which lands are contiguous lands as defined herein.

2. Requests for Extensions: The Moses Lake City Council shall review all requests for the provision of water and/or sewer utilities whether the request involves property which is contiguous or non-contiguous. Only the City Council can grant permission for the provision, delivery, or furnishing of water and/or sewer utilities to anyone beyond the corporate limits of the City, such permission being evidenced by a formal commitment noted in the minutes of a regular City Council meeting. All extensions of water and/or sewer utilities beyond the corporate limits of the City shall be made by the City Council within their sole and complete discretion.
3. Washington statutes and case law provide that cities are not legally required to provide water or sewer or other utility services to properties located outside the city limits, but that cities have the discretion to provide such utilities within its urban growth area as a legislative decision, on terms and conditions set forth in a contract.

4. The City is not the sole or exclusive provider of sewer or water service in any area outside of the City's corporate limits. The city shall not be considered or construed as being the sole or exclusive utility purveyor for any properties outside of the city's corporate limits or within the city's urban growth area.
5. Delivery of City Water and/or Sewer Utilities to Contiguous Lands:
 - A. The City of Moses Lake will only deliver water and/or sewer utilities to contiguous lands if the owner of those lands annexes those lands into the City, except, if the public's health, safety, and welfare is an issue, as determined by the Grant County Health District, the City may deliver City water and/or City sewer utilities subject to the same conditions applicable to the delivery of City water and/or City sewer utilities to non-contiguous lands. Once within the City the lands will be delivered City utilities as provided by City ordinance. If those contiguous lands are not annexed into the City, the City will deliver neither City water nor City sewer services, except as set forth in subsection b below.
 - B. The City Council may permit the provision of water and/or sewer service to adjacent lands where the water and/or sewer main is adjacent to the property, the property is contiguous lands as defined in this resolution and it is impractical for the property owner to annex the owner's property into the city because of the previous subdivision of the land or other like condition. Each such request will be considered by the City Council on an individual basis and no uniform result as respects such requests is expected where each will be determined by the unique circumstance of each property seeking permission to connect to city water and/or sewer. If the City Council permits adjacent lands to connect to the city water and/or sewer system, the property owner shall first comply with the procedure for the delivery of water and/or sewer to non-contiguous lands as set forth below in Section 6 4.
6. Delivery of City Water and/or Sewer Utilities to Non-Contiguous Lands: The City of Moses Lake will consider the provision of water utilities and/or the provision of sewer utilities to non-contiguous lands when such water is available or when such sewerage capacity is available in the City sewerage system as determined by the City Council ~~in the City sewerage system~~ upon the conditions listed below:
 - A. The execution of a contract document between the land owner and the City containing the essential elements of the water and/or sewer provision agreement as outlined below.
 - B. The water and/or sewer system to be built and connected to the City water utility or City sewer utility will be built to City standards.
 - C. The execution of necessary document(s) as determined by the City's legal department from the land owner to the City stating in essence that the land owner agrees to have non-contiguous lands annexed to the City at the City's discretion when those lands can be annexed.

Further, the document(s) will provide as a condition of receiving City water and/or City sewer that the non-contiguous lands will not be used in any manner inconsistent with the land use controls in place.
 - D. The land owner will survey the non-contiguous lands to be provided City water and/or City sewer if requested to do so by City staff.
 - E. The City water and/or sewer utility services provided to the non-contiguous land will not be changed as to either the scope, nature, or intensity of the use without further approval from the Moses Lake City Council as such change is considered an expansion of the commitment given unless such expansion has already been provided for in the commitment given by the Moses Lake City Council.

- F. Such other conditions as City staff may negotiate as being necessary and as approved by the Moses Lake City Council.
 - G. Failure to comply with any of the conditions of the water and/or sewer provision agreement shall terminate the delivery of water and/or sewer utility services to the non-contiguous land.
7. Any formal commitment given by the City Council to provide water and/or sewer utilities outside the corporate limits of the City shall remain in effect for two (2) years from the date the commitment is given. Within the two (2) year commitment period, the lands involved must actually be tapped into the City's water and/or sewer utilities or the commitment given by the City Council shall be considered automatically withdrawn without further consideration by the City Council. Any documents prepared and delivered by a party pursuant to Section 6. A. 4. a. and C e. shall be returned to the land owner if the commitment is terminated.

Effective Date: This policy shall control all extensions of City water and sewer utilities after October 8, 2013.

Adopted by the City Council of Moses Lake, Washington on October 8, 2013.

Bill J. Ecret, Mayor

ATTEST:

W. Robert Taylor, Finance Director

October 3, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Resolution - Nuisance Abatement Costs - Espinoza

Attached is a resolution which affirms the Council's prior authorization to staff to collect the funds expended for the nuisance abatement at 1046 Division. The property is owned by Carlos Espinoza.

Respectfully submitted

A handwritten signature in black ink, appearing to be 'G. Alvarado', with a stylized, cursive script.

Gilbert Alvarado
Community Development Director

GA:jt

RESOLUTION NO.

A RESOLUTION ESTABLISHING THE BILLING TO BE IMPOSED AGAINST CARLOS CHAVEZ ESPINOZA AS THE OWNER OF CERTAIN REAL PROPERTY UPON WHICH THE CITY CAUSED ABATEMENT OF A NUISANCE TO BE PERFORMED AFTER A FAILURE OF THE PROPERTY OWNER TO ABATE THE SAME.

RECITALS:

1. **Real Property Location and Ownership.** The records of Grant County show that Carlos Chaves Espinoza is the owner of property within the city limits located at 1046 S. Division. The parcel number of this property is 110268000. Carlos Chaves Espinoza was provided notice of a hearing held before the City Council on August 27, 2013, to consider the allegations of the Code Enforcement Officer that a nuisance requiring abatement existed on property owned by Carlos Chaves Espinoza.
2. On August 27, 2013 the City Council conducted a hearing to determine if a nuisance existed on the property at 1046 S. Division. At the conclusion of that hearing, the City Council adopted Resolution No. 3383 which provided a nuisance existed on the property at 1046 S. Division, that the owner had fifteen (15) days to abate such nuisance and if the nuisance was not abated within fifteen (15) days of adoption of that resolution, the City would cause the nuisance to be abated and the costs of that abatement to be charged against the property owner.
3. The nuisance identified in Resolution No. 3383 was not abated by the property owner within fifteen (15) days of the adoption of that resolution. On September 10, 2013 the City caused the nuisance identified to be abated through the use of contracted labor and equipment.

RESOLVED:

1. The costs to the City to abate the nuisance identified in Resolution 3383 on the property at 1046 S. Division are set forth below. Those costs are derived from the attached documents which detail the costs incurred.
2. The costs to be recovered from Carlos Chaves Espinoza are:

City labor and equipment costs	\$0.00
Contracted labor and equipment - Dircio's Landscaping	\$183.34
Total	\$183.34
3. This charge is certified by the City Council as due and owing the City. This charge shall be forwarded in writing to Carlos Chaves Espinoza for payment. If payment is not received within thirty (30) days of submittal, the same shall be submitted for collection with other unpaid billings of the City and collected or reduced to judgment on the rolls of the Grant County Clerk.

Adopted by the City Council on October 8, 2013.

ATTEST:

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director

DIRCIO'S LANDSCAPING

P.O box 682
Ephrata W.A 98823
Phone: (509) 237-1018
E-Mail:
DIRCIOS_LANDSCAPING@HOTMAIL.COM
Bill To:
City of Moses Lake

Invoice

09/ 10 /13

NOTE: Mow everything down around the three houses. Price for labor and mowers are all include.

Date	Times	Description	Unit Price	Total
	1	9972 sunny Drive NE		183.33
	1	9859 Olimpic Drive NE		183.33
	1	1046 South Division		183.34
			Total	550.00

Tax:	\$
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Amount Due:	\$
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Payment due date:	10 days after job is complete
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October 3, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Resolution - Nuisance Abatement Costs - McCourtie

Attached is a resolution which affirms the Council's prior authorization to staff to collect the funds expended for the nuisance abatement at 9859 NE Olympic. The property is owned by Robert McCourtie.

Respectfully submitted

A handwritten signature in black ink, appearing to be 'GA', is written over the typed name.

Gilbert Alvarado
Community Development Director

GA:jt

RESOLUTION NO.

A RESOLUTION ESTABLISHING THE BILLING TO BE IMPOSED AGAINST ROBERT MCCOURTIE AS THE OWNER OF CERTAIN REAL PROPERTY UPON WHICH THE CITY CAUSED ABATEMENT OF A NUISANCE TO BE PERFORMED AFTER A FAILURE OF THE PROPERTY OWNER TO ABATE THE SAME.

RECITALS:

1. **Real Property Location and Ownership.** The records of Grant County show that Robert McCourtie is the owner of property within the city limits located at 9859 NE Olympic Drive. The parcel number of this property is 120460000. Robert McCourtie was provided notice of a hearing held before the City Council on August 27, 2013, to consider the allegations of the Code Enforcement Officer that a nuisance requiring abatement existed on property owned by Robert McCourtie.
2. On August 27, 2013 the City Council conducted a hearing to determine if a nuisance existed on the property at 9859 NE Olympic Drive. At the conclusion of that hearing, the City Council adopted Resolution No. 3382 which provided a nuisance existed on the property at 9859 NE Olympic Drive, that the owner had fifteen (15) days to abate such nuisance and if the nuisance was not abated within fifteen (15) days of adoption of that resolution, the City would cause the nuisance to be abated and the costs of that abatement to be charged against the property owner.
3. The nuisance identified in Resolution No. 3382 was not abated by the property owner within fifteen (15) days of the adoption of that resolution. On September 10, 2013 the City caused the nuisance identified to be abated through the use of contracted labor and equipment.

RESOLVED:

1. The costs to the City to abate the nuisance identified in Resolution 3382 on the property at 9859 NE Olympic Drive are set forth below. Those costs are derived from the attached documents which detail the costs incurred.
2. The costs to be recovered from Robert McCourtie are:

City labor and equipment costs	\$0.00
Contracted labor and equipment - Dircio's Landscaping	\$183.33
Total	\$183.33
3. This charge is certified by the City Council as due and owing the City. This charge shall be forwarded in writing to Robert McCourtie for payment. If payment is not received within thirty (30) days of submittal, the same shall be submitted for collection with other unpaid billings of the City and collected or reduced to judgment on the rolls of the Grant County Clerk.

Adopted by the City Council on October 8, 2013.

ATTEST:

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director

DIRCIO'S LANDSCAPING

P.O box 682
Ephrata W.A 98823
Phone: (509) 237-1018
E-Mail:
DIRCIOS_LANDSCAPING@HOTMAIL.COM
Bill To:
City of Moses Lake

Invoice

09/10 /13

NOTE: Mow everything down around the three houses. Price for labor and mowers are all include.

Date	Times	Description	Unit Price	Total
	1	9972 sunny Drive NE		183.33
	1	9859 Olympic Drive NE		183.33
	1	1046 South Division		183.34
			Total	550.00

Tax:	\$
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Amount Due:	\$
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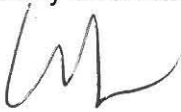
Payment due date:	10 days after job is complete
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October 3, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Resolution - Nuisance Abatement Costs - Huff

Attached is a resolution which affirms the Council's prior authorization to staff to collect the funds expended for the nuisance abatement at 9972 NE Sunny. The property is owned by Roland C. and Anastacia Huff.

Respectfully submitted

A handwritten signature in black ink, appearing to be 'GA', is written over the typed name.

Gilbert Alvarado
Community Development Director

GA:jt

RESOLUTION NO.

A RESOLUTION ESTABLISHING THE BILLING TO BE IMPOSED AGAINST ROLAND C. AND ANASTACIA HUFF AS THE OWNERS OF CERTAIN REAL PROPERTY UPON WHICH THE CITY CAUSED ABATEMENT OF A NUISANCE TO BE PERFORMED AFTER A FAILURE OF THE PROPERTY OWNER TO ABATE THE SAME.

RECITALS:

1. **Real Property Location and Ownership.** The records of Grant County show that Roland C. and Anastacia Huff are the owners of property within the city limits located at 9972 NE Sunny Drive. The parcel number of this property is 120405000. Roland C. and Anastacia Huff were provided notice of a hearing held before the City Council on August 27, 2013, to consider the allegations of the Code Enforcement Officer that a nuisance requiring abatement existed on property owned by Roland C. and Anastacia Huff.
2. On August 27, 2013 the City Council conducted a hearing to determine if a nuisance existed on the property at 9972 NE Sunny Drive. At the conclusion of that hearing, the City Council adopted Resolution No. 3384 which provided a nuisance existed on the property at 9972 NE Sunny Drive, that the owners had fifteen (15) days to abate such nuisance and if the nuisance was not abated within fifteen (15) days of adoption of that resolution, the City would cause the nuisance to be abated and the costs of that abatement to be charged against the property owners.
3. The nuisance identified in Resolution No. 3384 was not abated by the property owners within fifteen (15) days of the adoption of that resolution. On September 10, 2013 the City caused the nuisance identified to be abated through the use of contracted labor and equipment.

RESOLVED:

1. The costs to the City to abate the nuisance identified in Resolution 3384 on the property at 9972 NE Sunny Drive are set forth below. Those costs are derived from the attached documents which detail the costs incurred.
2. The costs to be recovered from Roland C. and Anastacia Huff are:

City labor and equipment costs	\$0.00
Contracted labor and equipment - Dircio's Landscaping	\$183.33
Total	\$183.33
3. This charge is certified by the City Council as due and owing the City. This charge shall be forwarded in writing to Roland C. and Anastacia Huff for payment. If payment is not received within thirty (30) days of submittal, the same shall be submitted for collection with other unpaid billings of the City and collected or reduced to judgment on the rolls of Grant County Clerk.

Adopted by the City Council on October 8, 2013.

ATTEST:

Bill J. Ecret, Mayor

W. Robert Taylor, Finance Director

DIRCIO'S LANDSCAPING

P.O box 682
Ephrata W.A 98823
Phone: (509) 237-1018
E-Mail:
DIRCIOS_LANDSCAPING@HOTMAIL.COM
Bill To:
City of Moses Lake

Invoice

09/ 10 /13

NOTE: Mow everything down around the three houses. Price for labor and mowers are all include.

Date	Times	Description	Unit Price	Total
	1	9972 sunny Drive NE		183.33
	1	9859 Olimpic Drive NE		183.33
	1	1046 South Division		183.34
			Total	550.00

Tax:	\$
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Amount Due:	\$
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Payment due date:	10 days after job is complete
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September 4, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Resolution - Nuisance Abatement - Medel

Attached is a resolution providing for the abatement of nuisances at 1421 Fern Drive, owned by Ray Medel. 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

A handwritten signature in black ink, appearing to be 'GA', is written above the printed name.

Gilbert Alvarado
Community Development Director

GA:jt

RESOLUTION NO.

A RESOLUTION DETERMINING THAT RAY MEDEL 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 1421 Fern Drive (Lot 19, Harwood), Parcel #100045000, Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 12.24.050 and 8.14.030 U. The records of Grant County show the owner of the subject property to be Ray Medel, 4296 Stratford Road NE, Moses Lake, WA 98837.
2. Notice. On September 3, 2013, 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 September 26, 2013 the Code Enforcement Officer caused to be delivered to Ray Medel a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of October 8, 2013. 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 12.24.050 and 8.14.030 U -
 - 12.24.050 Public Nuisances Caused by Plantlife: Plantlife that overhangs any municipal improvement or grows in such a manner as to obstruct or impair the free and full use of any municipal improvement by the public may be considered a public nuisance. All plantlife shall be trimmed to provide for a minimum of seven feet (7') of vertical clearance above all sidewalks or activity trails and twelve feet (12') of vertical clearance above all streets or parking places. The enforcing authority may declare plantlife a public nuisance for reasons of disease and exotic characteristics. All plantlife that causes destruction of municipal improvements shall be considered a public nuisance. The owner shall be liable for all damages that are caused by plantlife to municipal improvements.
 - 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.

- 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 October 8, 2013 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:

Clair Harden, 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 U

EXHIBIT #2: Moses Lake Municipal Code Chapter 12.24.050

EXHIBIT #3: Notice of Violation and Order to Correct or Cease Activity dated September 3, 2013 from the Code Enforcement Officer addressed to Ray Medel, 4296 Stratford Road NE, Moses Lake, WA 98837

EXHIBIT #4: Pictures taken by Code Enforcement Officer of the property located at 1421 W. Fern, Moses Lake, Washington

EXHIBIT #5: Letter dated September 26, 2013 from the Code Enforcement Officer to Ray Medel advising the property owner of the hearing regarding abatement of property, scheduled for October 8, 2013.

Resolved:

1. A public nuisance in violation of MLMC 12.24.050 and 8.14.030 U exists on the subject property at 1421 W. Fern, Moses Lake, Washington. Ray Medel, 4296 Stratford Road NE, 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. Hedge covering sidewalk and blocking road
 - 2.2. Weeds over 12" in height
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. Ray Medel, 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 Trim hedge to clear sidewalk and curb area
 - 4.2 Cut and remove weeds
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 October 8, 2013.

Bill J. Ecret, 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.
- A. The existence of any trash, dirt, filth, and carcass of any animal, waste shrubs, accumulation of lawn or yard trimmings or other offensive matter.
 - B. Defective or overflowing septic or sewage systems, and the existence of any noxious, foul, or putrid liquid or substance which poses a health hazard or creates a noxious odor.
 - C. Any man-caused pool of standing or stagnant water, except storm drainage systems, which serves as a breeding area for insects.
 - D. Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health as determined by the Health Officer.
 - E. All other acts, failure to act, occupations, or use of property which is determined by the Health Officer to be a menace to the health of the public.
 - F. All limbs of trees which are less than seven (7) feet above the surface of any public sidewalk, or twelve (12) feet above the surface of any street.
 - G. All buildings, other structures, or portions thereof which have been damaged by fire, decay, neglect, or have otherwise deteriorated or become dilapidated so as to endanger the safety of the public.
 - H. All explosives, flammable liquids, and other dangerous substances stored or used in any manner in violation of the State Fire Code.
 - I. The keeping or harboring of any dog, fowl, or other animal which by frequent or habitual howling, yelping, barking, crowing, or in the making of other noises, annoys or disturbs the public, or the habitual allowing of dogs kept at any one address to run at large in violation of Chapter 6.05 of the Moses Lake Municipal Code entitled "Animal Control".
 - J. Making or causing to be made by any means whatsoever any noise of any kind which is a violation of Chapters 8.28 of the Moses Lake Municipal Code entitled "Noise Control".
 - K. The frequent, repetitive, or continuous sound made by any secured, unsecured, or deteriorated membrane or sheet metal, being moved by the wind or other source, which unreasonably interferes with the peace, comfort and repose of adjacent property owners or possessors.
 - L. Dumping, throwing, placing, leaving or causing or permitting to be dumped, thrown, placed or left, any filth, paper, cans, glass, rubbish, trash garbage, grass trimmings, shrub trimming, and shrubbery of any kind, in or upon any street, alley, sidewalk, ditch, or public or private property of another in the city.
 - 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:
 - 1. Any putrid, unhealthy or unwholesome bones, meat, hides, skins, or whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal

matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles.

2. Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are foul or malodorous.
 3. Any filthy, littered or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings or premises.
 4. Any animal manure in any quantity which is not securely protected from flies or weather conditions, or which is kept or handled in violation of any ordinance of the city.
 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.
 6. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in approved covered bins or galvanized iron receptacles.
 7. Any trash, litter, rags, accumulations or empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire hazard.
- N. The permitting to remain outside any dwelling, building, or other structure, or within any unoccupied or abandoned building, dwelling, or other structure, in a place accessible to children, any abandoned, unattended, or discarded ice chest, refrigerator or other airtight contained, which does not have the door, lid or other locking device removed.
- O. Any pit, hole, basin or excavation which is unguarded or dangerous to life or has been abandoned, or is no longer used for the purpose constructed, or is maintained contrary to statutes, ordinances, or regulations.
- P. Any well or storage tank permitted to remain on any public or private property without being securely closed or barring any entrance or trap door thereto, or without filling or capping any well.
- Q. The repair or abandonment of any automobile, truck, or other motor vehicle of any kind upon the public streets or alleys of the city.
- R. The keeping or permitting the existence of any bees or other insects, reptiles, rodents, fowl, or any other animals, domestic or wild, in any manner contrary to law, or which affect the safety of the public.
- S. The existence of any fence, other structure, or thing on private or public property abutting or fronting upon any public street, sidewalk, or place, which is sagging, leaning, fallen, decayed or is otherwise dilapidated and creating an unsafe condition.
- T. The existence of any vine, shrub, or plant growing on, around, or in front of any fire hydrant, utility pole, utility box, or any other appliance or facility provided for fire protection, public or private utility purposes in such a way as to obscure from view or impair access thereto.

- 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.
- V. The existence of any dead, diseased, infected, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons.
- W. The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard.
- X. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, parkway or other public place which is open to travel, of any hay, straw, paper, wood, boards, boxes, leaves, manure or other rubbish or material.
- Y. The storage or keeping on any premises for more than thirty days of any used or unused building materials as defined in Section 8.14.010 (F), whose retail cost new would exceed one hundred dollars, without a special permit from the building official; provided, that nothing herein shall:
 - 1. Prohibit such storage without a permit when done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion.
 - 2. Prohibit such storage without a permit upon the premises of a bona fide lumber yard, dealer in building materials or other commercial enterprise when the same is permitted under the zoning ordinance and other applicable laws.
 - 3. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws.
- Z. The existence on any premises of any unused and abandoned trailer, house trailer, automobile, boat or other vehicle or major parts thereof.
- AA. The keeping or maintenance in any area on private property which is clearly visible from a public street, sidewalk, park or other public area any accumulation, collection or untidy storage of any of the following: old appliances or parts thereof; old iron, steel, aluminum or other metal; inoperable vehicles, vehicle parts, machinery or equipment; mattresses, bedding, clothing, rags or cloth; straw, packing materials, cardboard or paper, tin cans, wire, bottles, glass, cans, barrels, bins, boxes, containers, ashes, plaster or cement; or wood. This determination shall not apply to conditions completely enclosed within a building or fencing so as not to be visible from public property.
- BB. The keeping, permitting or harboring of any fowl, pigeons, rabbits, hoofed or cloven footed animals, except for caged birds kept within a residence or business.

- CC. The depositing of any debris, vegetation, lawn clippings, lumber piles, wood piles, auto parts or bodies, garbage and the like, or storing of any material of any kind, provided that in residential zones that shall include garbage cans or refuse containers in the alleys of the city, except on garbage pickup day.
- DD. The existence of graffiti, which is defined as a defacing, damaging, or destructive inscription, figure or design painted, drawn or the like, on the exterior of any building, fence, gate, or other structures or on rocks, bridges, trees, or other real or personal property.
- EE. The locating of automobiles, trucks, recreational vehicles, trailers, boats, or any other vehicles, vessels, or the like for the purpose of advertising its sale on property located in any commercial or industrial zone not owned by the seller.
- FF. The permitting of any condition or situation where the soil has been disrupted, disturbed, or destabilized so as to allow blowing dust to exist.
- GG. The existence on any premise any unsecured, unused, or abandoned building or structures.
- HH. For any building the existence of any broken glass in windows or doors for more than thirty (30) days.
- II. Buildings or portions thereof that have faulty weather protection, such as openings in walls and roofs. Faulty weather protection shall include temporary weather barriers, such as tarps, plastic or similar material, left in place for more than thirty (30) days.
- JJ. Any building which has a window, door, or other exterior opening closed by extrinsic devices or some other manner, with material that has not been painted to match or compliment the buildings exterior or remains boarded up for more than sixty (60) days.
- KK. Any boarded up building that remains boarded up for more than ninety (90) days.
- LL. Permitting any violation of RCW 59.18.510 in any rental dwelling unit.
- MM. Criminal street gangs and any pattern of criminal street gang activity are each declared to be a public nuisance in violation of this chapter and other applicable code provisions, including but not limited to the Uniform Code for the Abatement of Dangerous Buildings and State Housing Code, subject to abatement through all available means. In addition thereto and without limitation, any pattern of criminal street gang activity upon, and the presence and use of property by, a criminal street gang, with the owner's knowledge or consent, constitutes a public nuisance and grounds for revocation of any permit or license regulating or authorizing the use of such property.

12.24.050

Public Nuisances Caused by Plantlife: Plantlife that overhangs any municipal improvement or grows in such a manner as to obstruct or impair the free and full use of any municipal improvement by the public may be considered a public nuisance. All plantlife shall be trimmed to provide for a minimum of seven feet (7') of vertical clearance above all sidewalks or activity trails and twelve feet (12') of vertical clearance above all streets or parking places. The enforcing authority may declare plantlife a public nuisance for reasons of disease and exotic characteristics. All plantlife that causes destruction of municipal improvements shall be considered a public nuisance. The owner shall be liable for all damages that are caused by plantlife to municipal improvements.



CITY OF
MOSES LAKE
CITY OF MOSES LAKE

NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY

TO: Ray Medel
4296 Stratford Rd NE
Moses Lake, WA 98837

NOTICE OF VIOLATION

Provisions of the City of Moses Lake Code Violated:

Moses Lake Municipal Codes 12.24.050 and 8.14.030U

Street Address of Violation:

1421 W Fern, Moses Lake, WA 98837

Brief Legal Description of Property Where Violation Exists:

Lot 19 harwood 100045000

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

Action Necessary to Correct Violation:

Trim hedge to clear sidewalk and curb area
cut weeds on property

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, September, 13, 2013

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

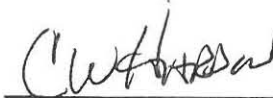
Exhibit 3
Page 1 of 2

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 Tuesday, September 03, 2013



Clair Harden
Code Enforcement Officer 1
City of Moses Lake
509-764-3746





Exhibit 4
Page 2 of 3



September, 26, 2013
Ray Medel
4296 Stratford Rd NE
Moses Lake, WA 98837



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 1421 W Fern, Parcel 100045000, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Ray Medel

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 19 harwood.

This property is located at: 1421 W Fern, Parcel 100045000, Moses Lake, WA 98837

On Wednesday, September 04, 2013 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 September 26, 2013, 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, October 08, 2013 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,

Code Enforcement Officer 1

cc: City Manager
City Attorney
Community Development Director

Exhibit 4

September 4, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Resolution - Nuisance Abatement - Martinez

Attached is a resolution providing for the abatement of nuisances at 537 N. Monarch, owned by Andres and Karlene Martinez. 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
Community Development Director

GA:jt

RESOLUTION NO.

A RESOLUTION DETERMINING THAT ANDRES AND KARLENE MARTINEZ, JR. ARE THE OWNERS 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 537 N. Monarch (Lot 10, Ridgecrest Major Plat) Parcel #110967510, Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 8.14.030 U. The records of Grant County show the owner of the subject property to be Andres and Karlene Martinez, Jr., 537 N. Monarch, Moses Lake, WA 98837.
2. Notice. On August 26, 2013, 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 September 26, 2013 the Code Enforcement Officer caused to be delivered to Andres Martinez a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of October 8, 2013. 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 U - 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.
 - 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 October 8, 2013 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:

Clair Harden, 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 U

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated August 26, 2013 from the Code Enforcement Officer addressed to Andres Martinez, 537 N. Monarch, Moses Lake, WA 98837

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 537 N. Monarch, Moses Lake, Washington

EXHIBIT #4: Letter dated September 26, 2013 from the Code Enforcement Officer to Andres Martinez advising the property owner of the hearing regarding abatement of property, scheduled for October 8, 2013.

Resolved:

1. A public nuisance in violation of MLMC 8.14.030 U exists on the subject property at 537 N., Monarch, Moses Lake, Washington. Andres and Karlene Martinez, Jr., 537 N. Monarch, Moses Lake, WA 98837 are the record contract owners of the subject property per the records of Grant County.
2. The public nuisance located upon the subject property consists of:
 - 2.1. Weeds over 12" in height
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. Andres and Karlene Martinez, Jr., the record contract owners, have 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 Cut and remove weeds
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 October 8, 2013.

Bill J. Ecret, 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.
- A. The existence of any trash, dirt, filth, and carcass of any animal, waste shrubs, accumulation of lawn or yard trimmings or other offensive matter.
 - B. Defective or overflowing septic or sewage systems, and the existence of any noxious, foul, or putrid liquid or substance which poses a health hazard or creates a noxious odor.
 - C. Any man-caused pool of standing or stagnant water, except storm drainage systems, which serves as a breeding area for insects.
 - D. Accumulation of garbage, decaying vegetation, manure, dead animals, or other noxious things in a street or alley, or on public or private property to an extent injurious to the public health as determined by the Health Officer.
 - E. All other acts, failure to act, occupations, or use of property which is determined by the Health Officer to be a menace to the health of the public.
 - F. All limbs of trees which are less than seven (7) feet above the surface of any public sidewalk, or twelve (12) feet above the surface of any street.
 - G. All buildings, other structures, or portions thereof which have been damaged by fire, decay, neglect, or have otherwise deteriorated or become dilapidated so as to endanger the safety of the public.
 - H. All explosives, flammable liquids, and other dangerous substances stored or used in any manner in violation of the State Fire Code.
 - I. The keeping or harboring of any dog, fowl, or other animal which by frequent or habitual howling, yelping, barking, crowing, or in the making of other noises, annoys or disturbs the public, or the habitual allowing of dogs kept at any one address to run at large in violation of Chapter 6.05 of the Moses Lake Municipal Code entitled "Animal Control".
 - J. Making or causing to be made by any means whatsoever any noise of any kind which is a violation of Chapters 8.28 of the Moses Lake Municipal Code entitled "Noise Control".
 - K. The frequent, repetitive, or continuous sound made by any secured, unsecured, or deteriorated membrane or sheet metal, being moved by the wind or other source, which unreasonably interferes with the peace, comfort and repose of adjacent property owners or possessors.
 - L. Dumping, throwing, placing, leaving or causing or permitting to be dumped, thrown, placed or left, any filth, paper, cans, glass, rubbish, trash garbage, grass trimmings, shrub trimming, and shrubbery of any kind, in or upon any street, alley, sidewalk, ditch, or public or private property of another in the city.
 - 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:
 - 1. Any putrid, unhealthy or unwholesome bones, meat, hides, skins, or whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal

matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles.

2. Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are foul or malodorous.
 3. Any filthy, littered or trash-covered dwellings, cellars, house yards, barnyards, stable yards, factory yards, vacant areas in the rear of stores, vacant lots, houses, buildings or premises.
 4. Any animal manure in any quantity which is not securely protected from flies or weather conditions, or which is kept or handled in violation of any ordinance of the city.
 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.
 6. Any bottles, cans, glass, ashes, small pieces of scrap iron, wire, metal articles, bric-a-brac, broken crockery, broken glass, broken plaster and all such trash, or abandoned material, unless it is kept in approved covered bins or galvanized iron receptacles.
 7. Any trash, litter, rags, accumulations or empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing hay, straw or other packing material, lumber not neatly piled, scrap iron, tin or other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire hazard.
- N. The permitting to remain outside any dwelling, building, or other structure, or within any unoccupied or abandoned building, dwelling, or other structure, in a place accessible to children, any abandoned, unattended, or discarded ice chest, refrigerator or other airtight contained, which does not have the door, lid or other locking device removed.
- O. Any pit, hole, basin or excavation which is unguarded or dangerous to life or has been abandoned, or is no longer used for the purpose constructed, or is maintained contrary to statutes, ordinances, or regulations.
- P. Any well or storage tank permitted to remain on any public or private property without being securely closed or barring any entrance or trap door thereto, or without filling or capping any well.
- Q. The repair or abandonment of any automobile, truck, or other motor vehicle of any kind upon the public streets or alleys of the city.
- R. The keeping or permitting the existence of any bees or other insects, reptiles, rodents, fowl, or any other animals, domestic or wild, in any manner contrary to law, or which affect the safety of the public.
- S. The existence of any fence, other structure, or thing on private or public property abutting or fronting upon any public street, sidewalk, or place, which is sagging, leaning, fallen, decayed or is otherwise dilapidated and creating an unsafe condition.
- T. The existence of any vine, shrub, or plant growing on, around, or in front of any fire hydrant, utility pole, utility box, or any other appliance or facility provided for fire protection, public or private utility purposes in such a way as to obscure from view or impair access thereto.

- 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.
- V. The existence of any dead, diseased, infected, or dying tree, shrub, or other vegetation which may pose a danger to vegetation, crops, property, or persons.
- W. The existence of any accumulation of materials or objects in a location when the same endangers property, safety or constitutes a fire hazard.
- X. The depositing or burning or causing to be deposited or burned in any street, alley, sidewalk, parkway or other public place which is open to travel, of any hay, straw, paper, wood, boards, boxes, leaves, manure or other rubbish or material.
- Y. The storage or keeping on any premises for more than thirty days of any used or unused building materials as defined in Section 8.14.010 (F), whose retail cost new would exceed one hundred dollars, without a special permit from the building official; provided, that nothing herein shall:
 - 1. Prohibit such storage without a permit when done in conjunction with a construction project for which a building permit has been issued and which is being prosecuted diligently to completion.
 - 2. Prohibit such storage without a permit upon the premises of a bona fide lumber yard, dealer in building materials or other commercial enterprise when the same is permitted under the zoning ordinance and other applicable laws.
 - 3. Make lawful any such storage or keeping when it is prohibited by other ordinances or laws.
- Z. The existence on any premises of any unused and abandoned trailer, house trailer, automobile, boat or other vehicle or major parts thereof.
- AA. The keeping or maintenance in any area on private property which is clearly visible from a public street, sidewalk, park or other public area any accumulation, collection or untidy storage of any of the following: old appliances or parts thereof; old iron, steel, aluminum or other metal; inoperable vehicles, vehicle parts, machinery or equipment; mattresses, bedding, clothing, rags or cloth; straw, packing materials, cardboard or paper, tin cans, wire, bottles, glass, cans, barrels, bins, boxes, containers, ashes, plaster or cement; or wood. This determination shall not apply to conditions completely enclosed within a building or fencing so as not to be visible from public property.
- BB. The keeping, permitting or harboring of any fowl, pigeons, rabbits, hooved or cloven footed animals, except for caged birds kept within a residence or business.

- CC. The depositing of any debris, vegetation, lawn clippings, lumber piles, wood piles, auto parts or bodies, garbage and the like, or storing of any material of any kind, provided that in residential zones that shall include garbage cans or refuse containers in the alleys of the city, except on garbage pickup day.
- DD. The existence of graffiti, which is defined as a defacing, damaging, or destructive inscription, figure or design painted, drawn or the like, on the exterior of any building, fence, gate, or other structures or on rocks, bridges, trees, or other real or personal property.
- EE. The locating of automobiles, trucks, recreational vehicles, trailers, boats, or any other vehicles, vessels, or the like for the purpose of advertising its sale on property located in any commercial or industrial zone not owned by the seller.
- FF. The permitting of any condition or situation where the soil has been disrupted, disturbed, or destabilized so as to allow blowing dust to exist.
- GG. The existence on any premise any unsecured, unused, or abandoned building or structures.
- HH. For any building the existence of any broken glass in windows or doors for more than thirty (30) days.
- II. Buildings or portions thereof that have faulty weather protection, such as openings in walls and roofs. Faulty weather protection shall include temporary weather barriers, such as tarps, plastic or similar material, left in place for more than thirty (30) days.
- JJ. Any building which has a window, door, or other exterior opening closed by extrinsic devices or some other manner, with material that has not been painted to match or compliment the buildings exterior or remains boarded up for more than sixty (60) days.
- KK. Any boarded up building that remains boarded up for more than ninety (90) days.
- LL. Permitting any violation of RCW 59.18.510 in any rental dwelling unit.
- MM. Criminal street gangs and any pattern of criminal street gang activity are each declared to be a public nuisance in violation of this chapter and other applicable code provisions, including but not limited to the Uniform Code for the Abatement of Dangerous Buildings and State Housing Code, subject to abatement through all available means. In addition thereto and without limitation, any pattern of criminal street gang activity upon, and the presence and use of property by, a criminal street gang, with the owner's knowledge or consent, constitutes a public nuisance and grounds for revocation of any permit or license regulating or authorizing the use of such property.



CITY OF MOSES LAKE

NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY

TO: Andres Martinez
537 N Monarch St
Moses Lake, WA 98837

NOTICE OF VIOLATION

Provisions of the City of Moses Lake Code Violated:

Moses Lake Municipal Code 8.14.030U

Street Address of Violation:

537 N Monarch St, Moses Lake, WA 98837

Brief Legal Description of Property Where Violation Exists:

Lot 10 Ridgcrest Major Plat 110967510

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

Action Necessary to Correct Violation:

Weeds must be removed from this property.

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

Thursday, September, 05, 2013

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

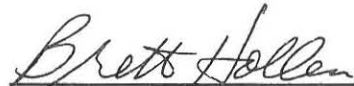
Exhibit 2
Page 1 of 2

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 Monday, August 26, 2013



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





September, 26, 2013

Andres Martinez
537 N Monarch St
Moses Lake, WA 98837



Re: Hearing to Permit City Abatement of Nuisance

Property located at: 537 N Monarch St, Parcel 110967510, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Andres Martinez

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 10 Ridgecrest Major Plat.

This property is located at: 537 N Monarch St, Parcel 110967510, Moses Lake, WA 98837

On Monday, August 26, 2013 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 September 26, 2013, 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, October 08, 2013 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,

Code Enforcement Officer 1

cc: City Manager
City Attorney
Community Development Director

Exhibit 4

September 4, 2013

TO: City Manager for Council Consideration
FROM: Community Development Director
SUBJECT: Resolution - Nuisance Abatement - Womboldt

Attached is a resolution providing for the abatement of nuisances at 1903 W. Marina Drive, owned by Ward and Khanitta Womboldt. 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

A handwritten signature in black ink, appearing to be 'G. Alvarado', with a stylized flourish at the end.

Gilbert Alvarado
Community Development Director

GA:jt

RESOLUTION NO. 3402

A RESOLUTION DETERMINING THAT WARD AND KHANITTA WOMBOLDT ARE THE OWNERS 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 1903 W. Marina, Tax #13041, Parcel #110475187, Moses Lake, Washington, is the site of public nuisance violations of Moses Lake Municipal Code (MLMC) 12.12.060. The records of Grant County show the owners of the subject property to be Ward & Khanitta Womboldt, 637 Rupert Road, Qualicum Beach, British Columbia, Canada.
2. Notice. On August 6, 2013 the Code Enforcement Officer caused to be delivered by regular 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 September 11, 2013 the Code Enforcement Officer caused to be delivered to Ward & Khanitta Womboldt a notice of the intent of the City Council to consider adoption of a resolution such as this at its meeting of September 24, 2013. 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. The property owner was notified that the hearing was rescheduled for October 8, 2013
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 12.12.060 - Duty to Maintain Sidewalks:
 - A. The owner or occupier of property that abuts sidewalks or abuts dedicated city right-of-way or deeded city property adjacent to sidewalks shall bear the duty and expense of maintaining sidewalks in a good state of repair, free from obstructions, and in a clean condition. However, the city shall bear the duty and expense to repair sidewalks in the Paver District that are constructed with concrete brick pavers, and all sidewalks that were constructed of concrete brick pavers through city participation. For sidewalks to be in a good state of repair, the sidewalks shall not have any vertical differences of one inch (1") or greater; and they shall not have any contiguous areas of spalling greater than four (4) square feet. Exposed aggregate in existing sidewalks shall be considered spalling when the surface wear measures one-quarter inch (1/4") or greater in differential elevation.
 - B. The city may participate in sidewalk repairs for sidewalks that are wider than six feet (6'). Such participation may be made for sidewalk repairs that are within the right-of-way and that are beyond the first six feet (6') of sidewalk nearest to the curb. Such participation is valid only if the city has provided written pre-approval for the sidewalk repairs. When the city agrees to participate with sidewalk repairs for over-width sidewalks, the owner will pay the contractor for the full repairs; and the city will make payment directly to the owner for pre-approved sidewalk repairs after the owner has provided a paid invoice from their contractor.
 - C. Chapter 12.20 of the Moses Lake Municipal Code provides requirements for sidewalk service requirements.

4. Hearing. On October 8, 2013 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:

Clair Harden, 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 12.12.060

EXHIBIT #2: Notice of Violation and Order to Correct or Cease Activity dated August 6, 2013 from the Code Enforcement Officer addressed to Ward & Khanitta Womboldt, 637 Rupert Road, Qualicum Beach BC V9K 1R3

EXHIBIT #3: Pictures taken by Code Enforcement Officer of the property located at 1903 W. Marina, Moses Lake, Washington.

EXHIBIT #45: Letter dated September 11, 2013 from the Code Enforcement Officer to Ward & Khanitta Womboldt advising the property owner of the hearing regarding abatement of property, scheduled for September 24, 2013 and was notified that the hearing was rescheduled to October 8, 2013.

Resolved:

1. A public nuisance in violation of MLMC 12.12.060 exists on the subject property at 1903 W. Marina, Moses Lake, Washington. Ward & Khanitta Womboldt, 637 Rupert Road, Qualicum Beach, BC V9K 1R3 are the record contract owners of the subject property per the records of Grant County.

2. The public nuisance located upon the subject property consists of:

2.1. Sidewalk needing replacement or repair

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. Ward & Khanitta Womboldt, the record contract owners, have 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 Repair or replace sidewalk

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 regular mail after its approval by the City Council.

Adopted by the City Council on October 8, 2013.

Bill J. Ecret, Mayor

ATTEST:

W. Robert Taylor, Finance Director

12.12.060 Duty to Maintain Sidewalks:

- A. The owner or occupier of property that abuts sidewalks or abuts dedicated city right-of-way or deeded city property adjacent to sidewalks shall bear the duty and expense of maintaining sidewalks in a good state of repair, free from obstructions, and in a clean condition. However, the city shall bear the duty and expense to repair sidewalks in the Paver District that are constructed with concrete brick pavers, and all sidewalks that were constructed of concrete brick pavers through city participation. For sidewalks to be in a good state of repair, the sidewalks shall not have any vertical differences of one inch (1") or greater; and they shall not have any contiguous areas of spalling greater than four (4) square feet. Exposed aggregate in existing sidewalks shall be considered spalling when the surface wear measures one-quarter inch (1/4") or greater in differential elevation.
- B. The city may participate in sidewalk repairs for sidewalks that are wider than six feet (6'). Such participation may be made for sidewalk repairs that are within the right-of-way and that are beyond the first six feet (6') of sidewalk nearest to the curb. Such participation is valid only if the city has provided written pre-approval for the sidewalk repairs. When the city agrees to participate with sidewalk repairs for over-width sidewalks, the owner will pay the contractor for the full repairs; and the city will make payment directly to the owner for pre-approved sidewalk repairs after the owner has provided a paid invoice from their contractor.
- C. Chapter 12.20 of the Moses Lake Municipal Code provides requirements for sidewalk service requirements.



CITY OF MOSES LAKE

NOTICE OF VIOLATION AND ORDER TO CORRECT OR CEASE ACTIVITY

TO: Ward & Khanitta Womboldt
637 Rupert RD
Qualicum Beach BC V9K 1R3

NOTICE OF VIOLATION

Provisions of the City of Moses Lake Code Violated:

Moses Lake Municipal Code 12.12.060

Street Address of Violation:

1903 W Marina, Moses Lake, WA 98837

Brief Legal Description of Property Where Violation Exists:

See assessor log 110475187

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

Action Necessary to Correct Violation:

Sidewalk needs to be replaced or repaired to correct the Spalling or exposed aggregate surface.

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
Thursday, September, 05, 2013

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 Tuesday, August 06, 2013



Clair Harden
Code Enforcement Officer 1
City of Moses Lake
509-764-3746



Exhibit 3
Page 1 of 3





Exhibit 3
Page 2 of 3



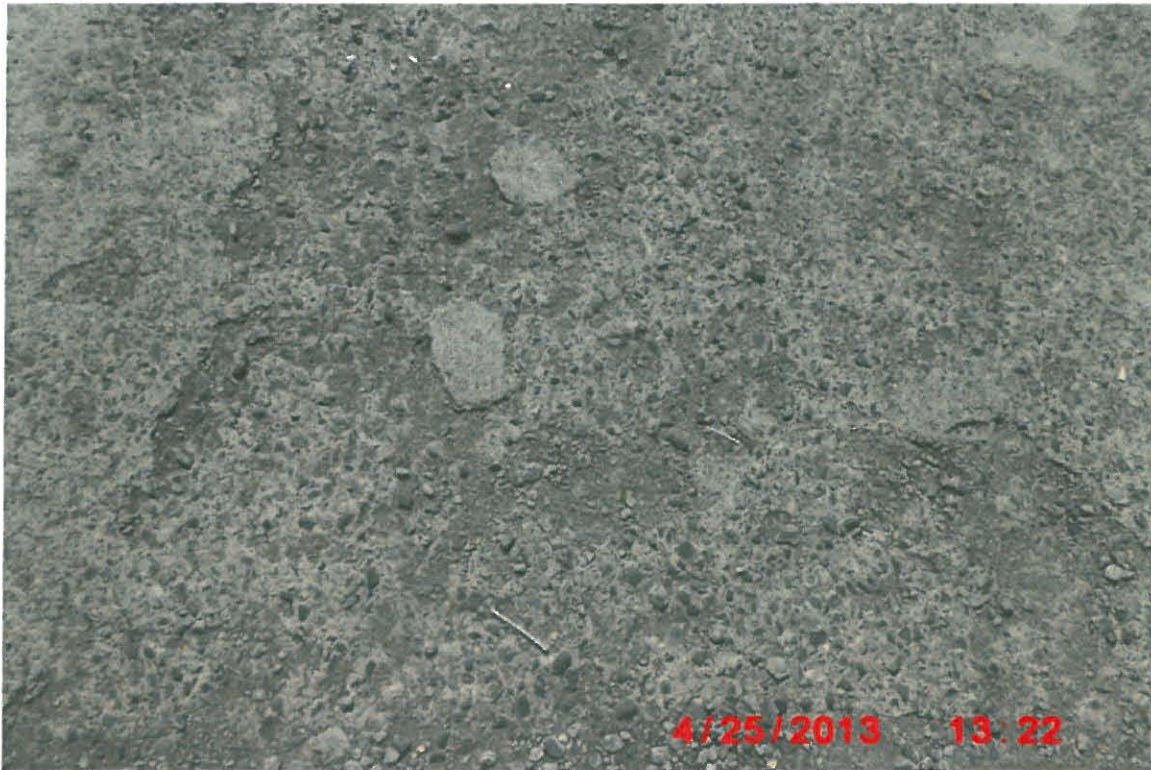


Exhibit 3
Page 3 of 3



September, 11, 2013

Ward & Khanitta Womboldt
637 Rupert RD
Qualicum Beach BC V9K 1R3

Re: Hearing to Permit City Abatement of Nuisance

Property located at: 1903 W Marina, Parcel 110475187, Moses Lake, WA 98837

Via Regular Mail and Return Receipt Mail

Ward & Khanitta Womboldt

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: See assessor log.

This property is located at: 1903 W Marina, Parcel 110475187, Moses Lake, WA 98837

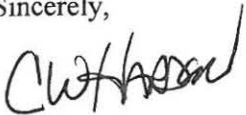
On Tuesday, August 06, 2013 the City of Moses Lake mailed to you by regular mail and return receipt mail a Notice of Violation and Order to Correct or Cease Activity within the time allowed by the City Code. The time specified in that Notice of Violation and Order to Correct or Cease Activity has expired without compliance. As of September 10, 2013, 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 24, 2013 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,



Code Enforcement Officer 1

cc: City Manager
City Attorney
Community Development Director