

MAY 2 1985 522

County Council

SNOHOMISH COUNTY, WASHINGTON



G.L. _____
J.C. _____ J.M. _____
W.L. _____

ORDINANCE NO. 85-023

Repealing Chapter 16.40 Snohomish County Code and
enacting a new Chapter 16.40 Snohomish County Code

BE IT ORDAINED:

Section 1. Chapter 16.40 of the Snohomish County Code is hereby
repealed.

Section 2. A new Chapter 16.40 Snohomish County Code is hereby adopted
which sections are as follows:

CHAPTER 16.40

Enforcement

Sections:

- 16.40.010 Director's Authority
- 16.40.020 Title 28, Snohomish County Code - Applicable
- 16.40.030 Order to Cease Violation
- 16.40.040 Notice of Violation - Penalty - Abatement
- 16.40.050 Public Nuisance
- 16.40.060 Alternative Remedies
- 16.40.070 Administrative Jurisdiction - Nonexclusive

Section 16.40.010 Director's Authority. Whenever the Director determines, upon recommendation of the Fire Marshal, that a condition exists in violation of this title, or any code or standard required to be adhered to by this title, he is authorized to enforce the provisions of this title, or codes or standards, pertaining to such condition existing in violation thereof.

Section 16.40.020 Title 28, Snohomish County Code - Applicable. All violations of this title, and codes and standards required thereby, are made subject to the provisions of Title 28, Snohomish County Code.

Section 16.40.030 Order to Cease Violation. Whenever any condition is found to be in violation of this title, or codes or standards required to be adhered to thereunder, and pending commencement and completion of the notice and order procedure of Section 16.40.040, the Director may order the cessation of activity causing the violative condition by notice in writing served on the person(s) engaged in or causing such condition. The effect of such order shall be to require immediate cessation of activity causing the violative condition. Said order shall not be affected by any right of appeal afforded by this or any other title of this code.

Section 16.40.040 Notice of violation - Penalty - Abatement. The Director is authorized to order correction and discontinuance of any violative condition of the provisions of this title under the procedures of Title 28, Snohomish County Code, as now or hereafter amended, which provide for NOTICE OF VIOLATION AND ASSESSMENT OF PENALTY AND ORDER TO ABATE.

Section 16.40.050 Public Nuisance. All violations of this title, and codes and standards required thereby, are determined to be detrimental to the public health, safety, and welfare and are public nuisances. All conditions which are determined by the Director to be in violation of this title, or codes and standards required thereby, shall be subject to the provisions of this title and shall be corrected by any reasonable and lawful means, as provided in this title.

Section 16.40.060 - Alternative Remedies. As an alternative to any other judicial or administrative remedy provided in this title or by law or other ordinance, any person who wilfully or knowingly violates any provision of this title or any order issued pursuant to this title, or by each act of commission or omission procures, aids or abets such violation, is guilty of a misdemeanor and upon conviction shall be punished as provided in Snohomish County Code Title 1.01.100. Each day such violation continues shall be considered an additional misdemeanor offense.

Section 16.40.070 - Administrative Jurisdiction - Nonexclusive. The authority of the Director to enforce the provisions of this title is not in derogation of the authority of any other officer charged with the enforcement of law but is concurrent therewith. The authority of the Director to enforce the provisions of this title includes without limitation the requirement that he request the assistance of the prosecuting attorney's office for judicial enforcement as may be deemed appropriate by the prosecuting attorney.

Dated MAY 1 1985

Ben Agnew
Chairman

ATTEST:
Kathryn J. Morton
Clerk of the Council

THOMAS G. CARLSON
DEPUTY EXECUTIVE

ATTEST:
Willie Colwell

Thomas G. Carlson
County Executive

APPROVED VETOED
 EMERGENCY Date May 6, 1985

PUBLISHED _____ and _____

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