

**GOLDENDALE CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 28, 2015  
7:00 PM**

- A. Call to Order
  - 1. Pledge of Allegiance
- B. Roll Call
- C. Public Hearing
- D. Agenda
  - 1. Approval of Agenda
  - 2. Consent Agenda
    - a. Approval of Minutes
    - b. Claims
    - c. Payroll
    - d. Other
- E. Presentations
  - 1. Missy Hunziker – Crime Downtown
- F. Department Reports
- G. Council Business
- H. Resolutions
  - 1. Youth Liaison Position
  - 2. Purchase of Software and Professional Services
- I. Ordinances
  - 1. 2<sup>nd</sup> Reading Revised Nuisance Control Ordinance
- J. Report of Officers and City Administrator
- K. Public Comment
- L. Executive Session
- M. Adjournment

NEXT REGULAR COUNCIL MEETING WILL BE ON OCTOBER 5, 2015 AT 7:00 PM.

**AGENDA TITLE: CONSENT AGENDA**

**DATE: SEPTEMBER 28, 2015**

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X   
RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_  
MOTION  X

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**EXPLANATION:**

The consent agenda includes the following:

Minutes of the September 8, 2015 regular council meeting, voided checks 44890 – 44892, 900518 – 900519, second pay period August checks #44787 – 44829, 900513 - 900515 in the amount of \$100,599.77, September 28, 2015 claims checks #44896, 44938 – 45000, 900525 - 900531 in the amount of \$1,108,758.36.

**FISCAL IMPACT:**

Payroll checks in the amount of \$100,599.77, claims checks in the amount of \$1,108,758.36.

**ALTERNATIVES:**

Approve the consent agenda.

Remove certain items from the consent agenda for further discussion.

**STAFF RECOMMENDATION:**

Approve the consent agenda

**MOTION:**

**I MOVE TO APPROVE THE CONSENT AGENDA.**

**GOLDENDALE CITY COUNCIL  
REGULAR MEETING  
SEPTEMBER 8, 2015  
7:00 PM**

Mayor Gary Hoctor called to order the regular meeting of the Goldendale City Council followed by the Pledge of Allegiance.

**ROLL CALL**

7:00:55 PM

**PRESENT:**

Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Mayor Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**STAFF:**

City Administrator Larry Bellamy  
Clerk-Treasurer Connie Byers  
Public Works Director Karl Enyeart  
Deputy Fire Chief Noah Halm  
Police Chief Reggie Bartkowski

**ABSENT:**

None

**AGENDA AND CONSENT AGENDA**

It was moved by Council Member Guy Theriault, seconded by Council Member Deanna Luth, to approve the agenda and consent agenda.

7:01:12 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Mike Canon  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:**

None.

MOTION CARRIED UNANIMOUSLY 6-0.

## DEPARTMENT REPORTS

Karl reported that we will begin working on the Mill Street Bridge on the 21<sup>st</sup> of September. Mill Street will be closed for 3 days while the repair is being done.

Reggie reported that we have promoted Jay Hunziker back to the Sergeant position. I have been meeting with the school administration regarding their safety protocol and they really have good procedures. We will also be doing assemblies at the middle school on bullying starting next week. We advertised for a lateral position with no success so we are going to hire an entry level. I will be offering that position to someone this week.

Larry reported on the Financial Statement through August. The Ordinance Committee will be meeting tomorrow at 7:15. WCIA will be here October 20<sup>th</sup> for their annual audit.

Noah reported that we had a truck out on fires in Okanogan and Chelan counties.

## COUNCIL BUSINESS

### Mayoral Appointment

Larry gave the council options for appointing a new Mayor.

It was moved by Council Member Len Crawford, seconded by Council Member Guy Theriault, to appoint Michael Canon to fill the position of Mayor until the November election is certified starting immediately.

7:17:04 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:**

None.

**MOTION CARRIED UNANIMOUSLY 5-0.**

Connie Byers gave the oath of office to Mayor Michael Canon.

Council then directed Larry to start advertising for letters of interest for Michael Canon's vacant council member position.

### Youth Soccer Request for Use of Ekone Park Fields

Mike Demott asked council to waive the park fees for soccer practices and games.

It was moved by Council Member Gary Hctor, seconded by Council Member Deanna Luth, to waive the park use fees for use by youth soccer through Central Klickitat County Park and Rec District between September 12, 2015 – October 24, 2015

7:25:02 PM

**AYES:** Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.

MOTION CARRIED UNANIMOUSLY 6-0.

Lease Extension with Chamber of Commerce

Larry explained that construction on the new Chamber building is taking longer than expected and the lease agreement needs to be extended.

It was moved by Council Member Gary Hctor, seconded by Council Member Deanna Luth, to authorize the Mayor to execute the extension of lease agreement for a portion of the City Hall building on a month to month basis.

7:25:51 PM

**AYES:** Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.

MOTION CARRIED UNANIMOUSLY 6-0.

Capital Outlay for Lift Station Pump Repair

Karl explained the estimated cost for the repair is a good price and I recommend approval.

It was moved by Council Member Gary Hctor, seconded by Council Member Deanna Luth, to approve a public works capital outlay for the repair of a lift station pump by Mather and Sons Pumps Inc in the amount of \$14,229.78.

7:29:32 PM

**AYES:** Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.

MOTION CARRIED UNANIMOUSLY 6-0.

Memorandum of Agreement Regarding Standby Duty Pay

Larry explained that two of our municipal employees have been performing standby duties without pay. Through negotiations we have come to an agreement that I recommend council approval.

It was moved by Council Member Gary Hocter, seconded by Council Member Deanna Luth, to authorize the Mayor to execute a memorandum of agreement and settlement between the city and the union for back pay for standby duty and for modifications to the current collective bargaining agreement establishing a section describing standby duty pay.

7:33:22 PM

**AYES:** Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hocter  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.  
MOTION CARRIED UNANIMOUSLY 6-0.

RESOLUTIONS

Settlement Agreement with Goodpaster, et.al

Larry explained that the attorney is highly recommending council's approval on this resolution.

It was moved by Council Member Gary Hocter, seconded by Council Member Deanna Luth, to approve Resolution No. 637 resolution agreement between the City of Goldendale and the Goodpaster's, et.al in the amount of \$185,000.00.

7:36:44 PM

**AYES:** Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hocter  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.  
MOTION CARRIED UNANIMOUSLY 6-0.

## ORDINANCES

### 2<sup>nd</sup> Reading Parking Code Revisions

It was moved by Council Member Gary Hoctor, seconded by Council Member Deanna Luth, to adopt Ordinance No. 1453 to amend Chapter 10.16 of the Goldendale Municipal Code regarding local parking rules.

7:37:37 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:**

None.

MOTION CARRIED UNANIMOUSLY 6-0.

### 2<sup>nd</sup> Reading Dog and Animal Control Revisions

It was moved by Council Member Gary Hoctor, seconded by Council Member Deanna Luth, to adopt Ordinance No. 1454 amending 6.04 & 6.08 of the Goldendale Municipal Code regarding local dog and animal control rules.

7:38:45 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:**

None.

MOTION CARRIED UNANIMOUSLY 6-0.

### First Reading Nuisance Code Revisions

Larry explained the changes that were made and informed the council that the Ordinance Committee is recommending the full council accept the revisions to Chapter 8.45 nuisances, for its first reading.

It was moved by Council Member Gary Hoctor, seconded by Council Member Deanna Luth, to accept revisions to Chapter 8.45 on nuisances for its first reading.

7:52:08 PM

**AYES:**

Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth

Council Member Guy Theriault  
**NAYS:** None.  
MOTION CARRIED UNANIMOUSLY 6-0.

### **REPORT OF OFFICERS**

Guy informed council that he will not be at the next council meeting.

Len also informed council that he will not be at the next council meeting.

Andy reminded everyone about Relay for Life.

Gary congratulated Michael on his appointment.

Larry informed council that there will not be a quorum for the next council meeting. The council meeting was scheduled for September 28<sup>th</sup> at 7:00 pm.

### **ADJOURNMENT**

It was moved by Council Member Len Crawford, seconded by Council Member Guy Theriault, to adjourn the meeting.

7:55:56 PM

**AYES:** Council Member Lucille Bevis  
Council Member Len Crawford  
Council Member Andy Halm  
Council Member Gary Hoctor  
Council Member Deanna Luth  
Council Member Guy Theriault

**NAYS:** None.  
MOTION CARRIED UNANIMOUSLY 6-0.

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Michael A Canon, Mayor

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Connie Byers, Clerk-Treasurer

# Register

Fiscal: 2015

Deposit Period: 2015 - Sep 2015, 2015 - Aug 2015

Check Period: 2015 - Sep 2015 - First Council Sep 2015, 2015 - Aug 2015 - Manual Period Aug 2015

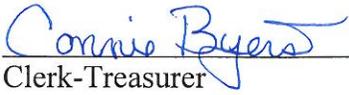
Number	Name	Print Date	Clearing Date	Amount
<b>Columbia State Bank</b>	<b>20016310</b>			
44896	Trust Account of Kuffel, Hultgrenn, Klashke, Shea & Ellerd, LLP	9/14/2015		\$150,000.00
44938	Goldendale, City of	9/28/2015		\$2,446.69
44939	Allyns Building Center	9/28/2015		\$1,092.86
44940	Anatek Labs Inc	9/28/2015		\$262.00
44941	Aramark Uniform Serv Inc	9/28/2015		\$268.70
44942	AT&T Mobility	9/28/2015		\$66.05
44943	Avista Utilities	9/28/2015		\$59.12
44944	Bishop Sanitation Inc	9/28/2015		\$307.50
44945	Blumenthal Uniforms & Equipment	9/28/2015		\$511.06
44946	Bohn's Printing	9/28/2015		\$203.10
44947	Book Nook, The	9/28/2015		\$59.13
44948	Browning's	9/28/2015		\$132.68
44949	Carquest Auto Parts	9/28/2015		\$178.46
44950	Cascade Fire & Safety	9/28/2015		\$129.70
44951	Centurylink AZ	9/28/2015		\$166.60
44952	Centurylink NC	9/28/2015		\$14.84
44953	Chinook Plumbing Inc	9/28/2015		\$1,186.05
44954	Department of Commerce	9/28/2015		\$146,943.51
44955	DOC Business Servies	9/28/2015		\$1,500.00
44956	Duggan, Joy E	9/28/2015		\$390.00
44957	Dynacco	9/28/2015		\$447.47
44958	Enviro-Clean Equipment Inc	9/28/2015		\$1,498.24
44959	Ferguson Enterprises Inc #3001	9/28/2015		\$2,073.13
44960	General Store	9/28/2015		\$5.30
44961	Gerald Matosich Attorney at Law	9/28/2015		\$1,553.50
44962	Goldendale Auto Supply	9/28/2015		\$164.64
44963	Goldendale Market Fresh	9/28/2015		\$138.01
44964	Goldendale Sentinel	9/28/2015		\$48.00
44965	Goldendale Tire Center	9/28/2015		\$505.09
44966	Goldendale Veterinary Clinic	9/28/2015		\$23.50
44967	Goldendale, City of	9/28/2015		\$31,197.40
44968	Gorge Networks	9/28/2015		\$1,108.58
44969	Gorge Technology Corp	9/28/2015		\$1,623.50
44970	Grainger	9/28/2015		\$357.61
44971	Hire Electric	9/28/2015		\$2,529.91

Number	Name	Print Date	Clearing Date	Amount
44972	Holcombs Market	9/28/2015		\$230.70
44973	Home Depot	9/28/2015		\$102.22
44974	Infinium Engineering & Consulting Inc	9/28/2015		\$2,081.80
44975	Jasen Mulrony Trucking LLC	9/28/2015		\$144.66
44976	Klickitat CO Commissioner	9/28/2015		\$4,478.60
44977	Klickitat CO Emer Mgmt	9/28/2015		\$30,000.00
44978	Klickitat CO Health Dept	9/28/2015		\$120.00
44979	Les Schwab Tire Center	9/28/2015		\$172.00
44980	Marlin Business Bank	9/28/2015		\$195.54
44981	McCredy Company, The	9/28/2015		\$42.39
44982	MCP Mid Columbia Producers Inc	9/28/2015		\$26.86
44983	Menke Jackson Beyer LLP	9/28/2015		\$4,474.94
44984	Mid-Columbia Veterinary	9/28/2015		\$23.15
44985	Optimist Printers	9/28/2015		\$311.75
44986	Person Pump & Well Drilling Inc	9/28/2015		\$967.50
44987	Petty Cash	9/28/2015		\$98.70
44988	POW Contracting	9/28/2015		\$617,623.72
44989	Providence Shared Services Division	9/28/2015		\$387.64
44990	Pump Tech Inc	9/28/2015		\$393.52
44991	Quill Corporation	9/28/2015		\$114.97
44992	Randall C Krog Attorney at Law	9/28/2015		\$552.50
44993	Riley Brothers Inc	9/28/2015		\$16,190.50
44994	Sea Western	9/28/2015		\$39,882.80
44995	Shell	9/28/2015		\$4,930.58
44996	US Cellular	9/28/2015		\$1,689.62
44997	Verizon Wireless	9/28/2015		\$707.88
44998	Vision Municipal Solutions Lic	9/28/2015		\$954.99
44999	WA St Auditor	9/28/2015		\$7,629.36
45000	WA St Dept of Retirement Systems	9/28/2015		\$8.86
900525	HSA Bank Employee Plan Funding	9/28/2015		\$6,820.00
900526	HSA Bank Employee Plan Funding	9/28/2015		\$24.75
900527	Invoice Cloud	9/28/2015		\$107.80
900528	Merchant Card Services	9/28/2015		\$42.05
900529	Sage Payment Solutions	9/28/2015		\$426.73
900530	US Bank	9/28/2015		\$10,158.36
900531	WA St Dept of Revenue	9/24/2015		\$7,448.99
	<b>Total</b>	<b>Total</b>	<b>Check</b>	<b>\$1,108,758.36</b>
	<b>Total</b>	<b>Total</b>	<b>20016310</b>	<b>\$1,108,758.36</b>
	<b>Grand Total</b>			<b>\$1,108,758.36</b>

**CITY OF GOLDENDALE  
CLAIMS REGISTER**

I, the undersigned, do hereby certify that the materials have been furnished, the services rendered or the labor performed as shown on Voucher numbers 44896, 44938 through 45000, 900525 - 900531 in the amount of \$, and unpaid obligations against the City of Goldendale, Washington and that I am authorized to certify said claims.

DATED this 24<sup>th</sup> day of September, 2015.

  
Clerk-Treasurer

# Register Activity

Fiscal: 2015

Period: 2015 - Sep 2015, 2015 - Aug 2015

Council Date: 2015 - Sep 2015 - First Council Sep 2015, 2015 - Aug 2015 - Manual Period Aug 2015

Reference	Date	Amount	Notes
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Reference Number: 44896

Trust Account of Kuffel, Hultgrenn, Klashke,

\$150,000.00

Invoice - 9/14/2015 8:57:55 AM

\$150,000.00 Goodpaster Settlement

Reference Number: 44938

Goldendale, City of

\$2,446.69

Invoice - 9/24/2015 12:10:15 PM

\$2,446.69 Water/Sewer

Reference Number: 44939

Allyns Building Center

\$1,092.86

199146	8/3/2015	\$10.41	Muriatic Acid, Brush
199178	8/3/2015	\$38.69	Xhose
199268	8/4/2015	\$10.75	Wasp & Hornet Killer
199292	8/5/2015	\$41.68	PVC Cement, Purple Primer
199354	8/6/2015	\$19.23	2x4, Survey Stakes
199370	8/6/2015	\$217.50	Concrete Mix, Expansion Joint
199913	8/14/2015	\$362.81	Wire
200343	8/21/2015	\$5.86	Connectors, Elbows
200462	8/24/2015	\$130.11	2x4, Plywood
200494	8/25/2015	\$58.56	Sealant, Covers, Outlet
200499	8/25/2015	\$2.77	Connector, Elbow
200584	8/26/2015	\$42.99	Saw Blade
200716	8/28/2015	\$109.62	Filter, Rebar Tiewire, Wet/Dry Vac
200845	8/31/2015	\$4.29	Chest Handle
200849	8/31/2015	\$3.21	2x4
200853	8/31/2015	\$23.64	Cncrt Patch
200877	8/31/2015	\$10.74	Mini Roller

Reference Number: 44940

Anatek Labs Inc

\$262.00

150819021

9/1/2015

\$172.00 Testing Service

22807

9/16/2015

\$90.00 Testing Service

Reference Number: 44941

Aramark Uniform Serv Inc

\$268.70

861895421

8/5/2015

\$27.31 Cleaning Service

861895424

8/5/2015

\$26.04 Cleaning Service

861895426

8/5/2015

\$14.21 Cleaning Service

861906340

8/12/2015

\$27.57 Cleaning Service

861906342

8/12/2015

\$27.11 Cleaning Service

861906344

8/12/2015

\$14.21 Cleaning Service

861917025

8/19/2015

\$26.23 Cleaning Service

Reference	Date	Amount	Notes
<b>Reference Number: 44941</b>	<b>Aramark Uniform Serv Inc</b>	<b>\$268.70</b>	
861917028	8/19/2015	\$26.25	Cleaning Service
861917030	8/19/2015	\$14.21	Cleaning Service
861927759	8/26/2015	\$26.23	Cleaning Service
861927761	8/26/2015	\$25.12	Cleaning Service
861927763	8/26/2015	\$14.21	Cleaning Service
<b>Reference Number: 44942</b>	<b>AT&amp;T Mobility</b>	<b>\$66.05</b>	
287258483135X09182015	9/10/2015	\$66.05	Chlorination Station
<b>Reference Number: 44943</b>	<b>Avista Utilities</b>	<b>\$59.12</b>	
Invoice - 9/24/2015 9:59:57 AM	9/24/2015	\$59.12	Natural Gas
<b>Reference Number: 44944</b>	<b>Bishop Sanitation Inc</b>	<b>\$307.50</b>	
43279	9/2/2015	\$240.00	Ekone Park
43336	9/2/2015	\$67.50	Airport
<b>Reference Number: 44945</b>	<b>Blumenthal Uniforms &amp; Equipment</b>	<b>\$511.06</b>	
149467	8/21/2015	\$149.99	Vest Rework
3890668	8/7/2015	\$9.72	Ckip on Tie
3966207	8/25/2015	\$154.80	Pant, Shirt, Shield...
3985216	8/28/2015	\$73.36	Shirt, Shield
4002544	9/1/2015	\$78.79	Trousers
4008326	9/2/2015	\$44.40	Sgt Chevrons
<b>Reference Number: 44946</b>	<b>Bohn's Printing</b>	<b>\$203.10</b>	
44386	8/29/2015	\$179.33	Coper Count/CH
44387	8/29/2015	\$23.77	Copier Count/PD
<b>Reference Number: 44947</b>	<b>Book Nook, The</b>	<b>\$59.13</b>	
406331	8/31/2015	\$59.13	Shadow Boxes
<b>Reference Number: 44948</b>	<b>Browning's</b>	<b>\$132.68</b>	
1814	9/10/2015	\$132.68	Hat with Embroidered Logo
<b>Reference Number: 44949</b>	<b>Carguest Auto Parts</b>	<b>\$178.46</b>	
4993-296216	8/4/2015	\$90.30	UPS
4993-296403	8/6/2015	\$43.15	Door Handle, Utility Cable
4993-296496	8/6/2015	\$15.00	G100 30Wtrnd
4993-296547	8/7/2015	(\$215.65)	Fuel Pump Assembly Credit, Fuel Line
4993-296584	8/7/2015	\$10.63	Gas Caps
4993-296666	8/7/2015	\$26.82	Part Cleaner, Tape....
4993-296983	8/10/2015	\$9.66	LED Cap Light
4993-297666	8/17/2015	\$15.88	UPS
4993-297790	8/18/2015	\$65.51	Reman Starter
4993-297903	8/19/2015	\$20.09	Imp Lug Wrench

Reference	Date	Amount	Notes
<b>Reference Number: 44949</b>			
4993-298207	8/21/2015	\$178.46	Carguest Auto Parts
4993-298378	8/24/2015	\$17.72	Relays and Flashers
4993-298487	8/25/2015	\$15.08	Relay - Accessory
4993-298532	8/25/2015	\$3.76	Oil Filter
4993-298721	8/26/2015	(\$15.08)	Relay - Accessory Credit
4993-298736	8/27/2015	\$6.79	Milton Fitting
4993-298847	8/28/2015	\$15.73	Wing Nut, Connectors
4993-299161	8/31/2015	\$45.46	Door Lock Actuator
4993-299211	8/31/2015	\$3.04	Starter Handle and Cord
		\$4.57	Threaded Rod
<b>Reference Number: 44950</b>			
115939	8/17/2015	\$129.70	Cascade Fire & Safety
		\$129.70	Suction Hose
<b>Reference Number: 44951</b>			
Invoice - 9/24/2015 10:34:09 AM	9/24/2015	\$166.60	Centurylink AZ
		\$166.60	Fax/DSL
<b>Reference Number: 44952</b>			
Invoice - 9/24/2015 10:34:42 AM	9/24/2015	\$14.84	Centurylink NC
		\$14.84	Long Distance
<b>Reference Number: 44953</b>			
11846	9/8/2015	\$1,186.05	Chinook Plumbing Inc
		\$1,186.05	Leak Repair
<b>Reference Number: 44954</b>			
DWSRF-274120	8/31/2015	\$146,943.51	Department of Commerce
DWSRF-274142	8/31/2015	\$1,283.95	DM12-952-090
DWSRF-91375	8/31/2015	\$85,795.01	DM12-952-090
DWSRF-91410	8/31/2015	\$49,922.36	03-65103-017
		\$9,942.19	05-96300-014
<b>Reference Number: 44955</b>			
Invoice - 9/24/2015 11:14:42 AM	9/24/2015	\$1,500.00	DOC Business Services
		\$1,500.00	K-9 Training
<b>Reference Number: 44956</b>			
CR4581.1	9/3/2015	\$390.00	Duggan, Joy E
CR5657/5834/5885/5886/2015-0059	9/3/2015	\$97.50	Roy Chubb
		\$292.50	Pete Kelley
<b>Reference Number: 44957</b>			
151355	9/18/2015	\$447.47	Dynacco
		\$447.47	Dynatrod-M
<b>Reference Number: 44958</b>			
S15-090212	9/2/2015	\$1,498.24	Enviro-Clean Equipment Inc
		\$1,498.24	Packing and Valve Kit
<b>Reference Number: 44959</b>			
478480	8/28/2015	\$2,073.13	Ferguson Enterprises Inc #3001
479711	9/3/2015	\$1,100.20	PVC
		\$972.93	Tracer Wire

Reference Number: 44960  
 Reference Number: 44961  
 Reference Number: 44962  
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 Reference Number: 44964  
 Reference Number: 44965  
 Reference Number: 44966  
 Reference Number: 44967  
 Reference Number: 44968

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 L-1408016

General Store  
 8/14/2015  
 9/10/2015  
 Gerald Matosich Attorney at Law  
 9/10/2015  
 8/26/2015  
 9/17/2015  
 8/26/2015  
 9/10/2015  
 Goldendale Auto Supply  
 8/3/2015  
 8/6/2015  
 8/7/2015  
 8/7/2015  
 8/7/2015  
 8/10/2015  
 8/14/2015  
 8/20/2015  
 8/21/2015  
 8/21/2015  
 Goldendale Market Fresh  
 8/26/2015  
 8/14/2015  
 8/22/2015  
 Goldendale Sentinel  
 9/16/2015  
 9/16/2015  
 Goldendale Tire Center  
 9/4/2015  
 9/4/2015  
 Goldendale Veterinary Clinic  
 9/24/2015  
 Goldendale, City of  
 9/24/2015  
 9/24/2015  
 Gorge Networks  
 9/16/2015

\$5.30  
 \$1.00  
 \$4.30  
 \$1,553.50  
 \$117.00  
 \$130.00  
 \$338.00  
 \$643.50  
 \$325.00  
 \$164.64  
 \$30.49  
 \$9.85  
 \$1.42  
 \$41.86  
 \$6.47  
 \$3.89  
 \$8.64  
 \$32.86  
 \$11.27  
 \$17.89  
 \$138.01  
 \$21.95  
 \$4.29  
 \$111.77  
 \$48.00  
 \$24.00  
 \$24.00  
 \$505.09  
 \$153.67  
 \$351.42  
 \$23.50  
 \$23.50  
 \$31,197.40  
 \$14,660.08  
 \$16,537.32  
 \$1,108.58  
 \$1,108.58

Paint  
 Reduc, Fittings, Hose  
 Nut Bolt  
 Fitting, Tee, Nut  
 Boot Clamp  
 Halogen Bulb  
 Cir/Test  
 Tape, Gloves  
 Fuel Pump Relay  
 Dr Ratchet  
 Water  
 Coffemate  
 Bulk Candy for Parade  
 Ordinance 1453  
 Ordinance 1454  
 Battery  
 Battery  
 Rabies Shot  
 Rabies Shot  
 POW Retainage/3rd and King  
 POW Retainage/LKR  
 Land Lines

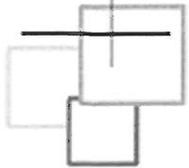
Reference	Date	Amount	Notes
Reference Number: 44969 <u>148.2</u>	Gorge Technology Corp 9/9/2015	\$1,623.50 \$1,623.50	Technology Consulting
Reference Number: 44970 <u>9832613286</u>	Grainger 9/1/2015	\$357.61 \$357.61	Exhaust Fan
Reference Number: 44971 600450 600462 600465	Hire Electric 8/30/2015 8/30/2015 8/30/2015	\$2,529.91 \$1,279.47 \$383.99 \$866.45	Horseshoe Bend Lift Station WWTP Wells 1 & 2
Reference Number: 44972 003002271018 003003531528 003010811450 003034520908 003043971102 003062791108 003081080909 004004851138 004005541335 004063691100 004098970955	Holcombs Market 8/18/2015 8/28/2015 8/31/2015 8/3/2015 8/6/2015 8/13/2015 8/20/2015 8/5/2015 8/5/2015 8/31/2015 8/3/2015	\$230.70 \$14.48 \$11.89 \$12.00 \$17.58 \$47.92 \$25.89 \$16.30 \$7.92 \$61.23 \$7.51 \$7.98	Creamer, Stevia Forks, Coffee Paper Plates, Forks.... Coffee, Spoons, Plates Water Water Creamer, Febreeze Water Air Freshner, Napkins..... Batteries Stevia
Reference Number: 44973 <u>601002</u>	Home Depot 8/26/2015	\$102.22 \$102.22	Nail, Hinge, Brace....
Reference Number: 44974 <u>434</u>	Infinium Engineering & Consulting Inc 9/7/2015	\$2,081.80 \$2,081.80	Professional Engineer Servies
Reference Number: 44975 <u>Invoice - 9/24/2015 2:20:46 PM</u>	Jasen Mulirony Trucking LLC 9/24/2015	\$144.66 \$144.66	Green Pulp Wood
Reference Number: 44976 <u>Invoice - 9/24/2015 2:21:21 PM</u>	Klickitat CO Commissioner 9/24/2015	\$4,478.60 \$4,478.60	3rd Quarter District Court Judicial
Reference Number: 44977 <u>2015EM-01</u>	Klickitat CO Emer Mgmt 9/1/2015	\$30,000.00 \$30,000.00	1st, 2nd, 3rd Quarter 2015
Reference Number: 44978 <u>25546</u>	Klickitat CO Health Dept 9/8/2015	\$120.00 \$120.00	Testing Service
Reference Number: 44979 <u>34300524697</u>	Les Schwab Tire Center 8/21/2015	\$172.00 \$172.00	Truck Alignment

Reference	Date	Amount	Notes
<b>Reference Number: 44980</b> 13536353	Marlin Business Bank 8/19/2015	\$195.54 \$195.54	Copier Leases
<b>Reference Number: 44981</b> 406291 406300	McCredy Company, The 8/27/2015 9/8/2015	\$42.39 \$27.35 \$15.04	Keys SD Card
<b>Reference Number: 44982</b> 685166	MCP Mid Columbia Producers Inc 9/1/2015	\$26.86 \$26.86	Grain Buckskin Drive
<b>Reference Number: 44983</b> Invoice - 9/24/2015 2:30:54 PM Invoice - 9/24/2015 4:39:55 PM	Menke Jackson Beyer LLP 9/24/2015 9/24/2015	\$4,474.94 \$333.34 \$4,141.60	Account 136 Account 044
<b>Reference Number: 44984</b> 134134	Mid-Columbia Veterinary 8/18/2015	\$23.15 \$23.15	Jasmine Boyce
<b>Reference Number: 44985</b> 30863	Optimist Printers 9/15/2015	\$311.75 \$311.75	Receipts
<b>Reference Number: 44986</b> 6292	Person Pump & Well Drilling Inc 8/11/2015	\$967.50 \$967.50	Bentonite
<b>Reference Number: 44987</b> Invoice - 9/24/2015 2:35:20 PM Invoice - 9/24/2015 2:35:54 PM Invoice - 9/24/2015 2:36:19 PM Invoice - 9/24/2015 2:36:44 PM Invoice - 9/24/2015 2:37:02 PM Invoice - 9/24/2015 2:37:20 PM Invoice - 9/24/2015 2:37:51 PM Invoice - 9/24/2015 2:38:06 PM Invoice - 9/24/2015 2:38:29 PM Invoice - 9/24/2015 2:38:44 PM Invoice - 9/24/2015 2:39:06 PM Invoice - 9/24/2015 2:39:50 PM Invoice - 9/24/2015 2:40:11 PM	Petty Cash 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015 9/24/2015	\$98.70 \$2.00 \$0.50 \$7.67 \$4.85 \$2.00 \$22.50 \$9.80 \$5.95 \$12.59 \$15.76 \$4.39 \$9.80 \$0.89	Sentinel On-Line Cash for Part Postage Postage Due Copies Records Request Postage Postage Postage Lunch Water for Firearm Training Postage Postage
<b>Reference Number: 44988</b> Invoice - 9/24/2015 2:41:14 PM Invoice - 9/24/2015 2:41:52 PM	POW Contracting 9/24/2015 9/24/2015	\$617,623.72 \$317,092.13 \$300,531.59	3rd and King LKR
<b>Reference Number: 44989</b> 108792	Providence Shared Services Division 8/31/2015	\$387.64 \$387.64	AED Repair

Reference	Date	Amount	Notes
Reference Number: 44990 <u>97650-IN</u>	Pump Tech Inc 9/2/2015	\$393.52 \$393.52	Recirculation Pump
Reference Number: 44991 <u>7347772</u> <u>7348764</u> <u>7625937</u> <u>7749802</u>	Quill Corporation 8/31/2015 8/31/2015 9/10/2015 9/14/2015	\$114.97 \$29.03 \$47.29 \$20.40 \$18.25	Sidetab Index Mouse, Sidetabe Index Nameplate Batteries
Reference Number: 44992 <u>CR5625</u> <u>CR5772</u> <u>CR5862</u>	Randall C Krog Attorney at Law 9/17/2015 9/18/2015 9/18/2015	\$552.50 \$130.00 \$195.00 \$227.50	Jose Mediano Samantha Stonewall Jason Goodpaster
Reference Number: 44993 <u>0011029</u> <u>0011032</u>	Riley Brothers Inc 8/18/2015 8/11/2015	\$16,190.50 \$13,589.00 \$2,601.50	Jime Shaw Springs Renovation Washed Chips
Reference Number: 44994 <u>186595</u>	Sea Western 9/23/2015	\$39,882.80	Compressor System
Reference Number: 44995 <u>79263448508</u>	Shell 8/26/2015	\$4,930.58 \$4,930.58	Fuel
Reference Number: 44996 <u>Invoice - 9/24/2015 4:18:09 PM</u>	US Cellular 9/24/2015	\$1,689.62 \$1,689.62	Cell Phones
Reference Number: 44997 <u>9751737161</u> <u>9751803856</u>	Verizon Wireless 9/4/2015 9/6/2015	\$707.88 \$629.84 \$78.04	Police Department Chlorination Station
Reference Number: 44998 <u>3179</u>	Vision Municipal Solutions Llc 9/23/2015	\$954.99 \$954.99	Utility Bill Mailing
Reference Number: 44999 <u>L110126</u>	WA St Auditor 9/10/2015	\$7,629.36 \$7,629.36	Audit Fees
Reference Number: 45000 <u>Invoice - 9/24/2015 4:25:51 PM</u>	WA St Dept of Retirement Systems 9/24/2015	\$8.86 \$8.86	Due
Reference Number: 900525 <u>Invoice - 9/24/2015 2:04:37 PM</u>	HSA Bank Employee Plan Funding 9/24/2015	\$6,820.00 \$6,820.00	Plan Funding

Reference	Date	Amount	Notes
<b>Reference Number: 900526</b> Invoice - 9/24/2015 2:10:52 PM	HSA Bank Employee Plan Funding 9/24/2015	\$24.75	Service Fee
<b>Reference Number: 900527</b> 359-2015_8	Invoice Cloud 9/2/2015	\$107.80	Billing Portal Fee
<b>Reference Number: 900528</b> Invoice - 9/24/2015 2:31:33 PM	Merchant Card Services 9/24/2015	\$42.05	Visa Fee/Admin
<b>Reference Number: 900529</b> Invoice - 9/24/2015 3:58:08 PM	Sage Payment Solutions 9/24/2015	\$426.73	Visa Utility
<b>Reference Number: 900530</b> Invoice - 9/24/2015 4:03:46 PM	US Bank 9/24/2015	\$10,158.36	Visa Payment
<b>Reference Number: 900531</b> Invoice - 9/24/2015 4:27:15 PM	WA St Dept of Revenue 9/24/2015	\$7,448.99	Excise Tax

# Register



Number	Name	Fiscal Description	Cleared	Amount
<u>44787</u>	Bartkowski, Reggie	2015 - Aug 2015 - Second Council Aug 2015		\$2,674.96
<u>44788</u>	Baze, Clinton	2015 - Aug 2015 - Second Council Aug 2015		\$460.93
<u>44789</u>	Bellamy, Larry D	2015 - Aug 2015 - Second Council Aug 2015		\$2,651.74
<u>44790</u>	Berkshire, Stan	2015 - Aug 2015 - Second Council Aug 2015		\$1,743.61
<u>44791</u>	Bevis, Lucille A	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44792</u>	Bowen, Jeremy J	2015 - Aug 2015 - Second Council Aug 2015		\$1,443.80
<u>44793</u>	Byers, Connie L	2015 - Aug 2015 - Second Council Aug 2015		\$1,731.79
<u>44794</u>	Canon, Michael A	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44795</u>	Casey, Brian P	2015 - Aug 2015 - Second Council Aug 2015		\$1,099.28
<u>44796</u>	Cooke, Robert C	2015 - Aug 2015 - Second Council Aug 2015		\$1,858.97
<u>44797</u>	Crawford, Leonard C	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44798</u>	Dymant, Kevin	2015 - Aug 2015 - Second Council Aug 2015		\$1,784.78
<u>44799</u>	Enyeart, Karl A	2015 - Aug 2015 - Second Council Aug 2015		\$2,540.30
<u>44800</u>	Fitzgibbons, Thomas R	2015 - Aug 2015 - Second Council Aug 2015		\$453.49
<u>44801</u>	Foster, Michelle L	2015 - Aug 2015 - Second Council Aug 2015		\$585.46
<u>44802</u>	Frantum, Douglas	2015 - Aug 2015 - Second Council Aug 2015		\$1,318.55
<u>44803</u>	Garcia, Juan C	2015 - Aug 2015 - Second Council Aug 2015		\$1,298.14
<u>44804</u>	Grimes, Karen M	2015 - Aug 2015 - Second Council Aug 2015		\$1,278.00
<u>44805</u>	Halm, Andrew J	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44806</u>	Halm, Noah M	2015 - Aug 2015 - Second Council Aug 2015		\$317.17

Number	Name	Fiscal Description	Cleared	Amount
<u>44807</u>	Hocfor, Gary Robert	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44808</u>	Hunziker, Jay Allen	2015 - Aug 2015 - Second Council Aug 2015		\$1,552.60
<u>44809</u>	Hutchins, Maria P	2015 - Aug 2015 - Second Council Aug 2015		\$1,506.64
<u>44810</u>	Isler, Jay W	2015 - Aug 2015 - Second Council Aug 2015		\$1,590.75
<u>44811</u>	Lucatero, Leo B	2015 - Aug 2015 - Second Council Aug 2015		\$1,805.44
<u>44812</u>	Luth, Deanna L	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44813</u>	O'Connor, Andrew F	2015 - Aug 2015 - Second Council Aug 2015		\$1,950.85
<u>44814</u>	Oswalt, Bert F	2015 - Aug 2015 - Second Council Aug 2015		\$2,179.94
<u>44815</u>	Perez, Benjamin A	2015 - Aug 2015 - Second Council Aug 2015		\$1,172.48
<u>44816</u>	Pineda, Eric M	2015 - Aug 2015 - Second Council Aug 2015		\$27.91
<u>44817</u>	Randall, Steven A	2015 - Aug 2015 - Second Council Aug 2015		\$204.84
<u>44818</u>	Smith, Michael L	2015 - Aug 2015 - Second Council Aug 2015		\$1,802.54
<u>44819</u>	Stelljes, Michael S	2015 - Aug 2015 - Second Council Aug 2015		\$1,492.42
<u>44820</u>	Sullivan, Donald L	2015 - Aug 2015 - Second Council Aug 2015		\$55.82
<u>44821</u>	Therault, Guy R	2015 - Aug 2015 - Second Council Aug 2015		\$46.01
<u>44822</u>	Thompson, Robert L	2015 - Aug 2015 - Second Council Aug 2015		\$1,436.75
<u>44823</u>	Wells, Sandy R	2015 - Aug 2015 - Second Council Aug 2015		\$1,098.80
<u>44824</u>	American Family Life	2015 - Aug 2015 - Second Council Aug 2015		\$367.65
<u>44825</u>	AWC Benefit Trust	2015 - Aug 2015 - Second Council Aug 2015		\$31,993.69
<u>44826</u>	Dept of Labor & Industries	2015 - Aug 2015 - Second Council Aug 2015		\$2,616.60
<u>44827</u>	Employment Security	2015 - Aug 2015 - Second Council Aug 2015		\$119.18
<u>44828</u>	ICMA Retirement Trust (Plan 302195)	2015 - Aug 2015 - Second Council Aug 2015		\$112.50
<u>44829</u>	Washington State Support Registry	2015 - Aug 2015 - Second Council Aug 2015		\$27.91
<u>900513</u>	City of Goldendale	2015 - Aug 2015 - Second Council Aug 2015		\$14,936.53

Number	Name	Fiscal Description	Cleared	Amount
900514	Deferred Comp Program	2015 - Aug 2015 - Second Council Aug 2015		\$80.00
900515	Dept of Retirement	2015 - Aug 2015 - Second Council Aug 2015		\$8,904.89
				\$100,599.77

AGENDA BILL: H1

AGENDA TITLE: YOUTH LIAISON POSITON

DATE: SEPTEMBER 28, 2015

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION \_\_\_\_\_ X \_\_\_\_\_

RESOLUTION \_\_\_\_\_ X \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION \_\_\_\_\_ X \_\_\_\_\_

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**EXPLANATION:**

The City Council has requested the city to look into the idea of a youth representative on the City Council. Please find attached a resolution that creates a youth liaison position.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION: I MOVE TO ADOPT RESOLUTION NO 638 CREATING A YOUTH LIAISON POSITION WITH THE GOLDENDALE CITY COUNCIL.**

**CITY OF GOLDENDALE  
GOLDENDALE, WASHINGTON**

**RESOLUTION NO. 638**

**A RESOLUTION OF THE CITY OF GOLDENDALE CREATING A YOUTH  
LIAISON POSITION TO THE GOLDENDALE CITY COUNCIL**

**WHEREAS**, the City of Goldendale recognizes the youth of our community as a significant community resource; and

**WHEREAS**, the City Council desires to receive continuous advice from the youth of the community on matters of interest to youth; and

**WHEREAS**, the City Council and the Goldendale School District agree that the process of facilitating important interaction between the community youth and Council can occur through the Associated Student Bodies of the school district; **NOW, THEREFORE**,

**BE IT RESOLVED** that the City Council hereby creates one (1) youth liaison position to be filled by a student from the Goldendale School District that is appointed by the Mayor, subject to confirmation of the City Council; and

**BE IT FURTHER RESOLVED**, that the student liaison shall be advisory to the City Council and shall be given the opportunity to offer advice on any issue of interest to community youth, properly before the Council; and

**BE IT FURTHER RESOLVED**, that each student liaison shall be provided an agenda and supporting materials for each Council meeting and workshop so they may be informed of upcoming issues for discussion and decision by the Council; and

**BE IT FURTHER RESOLVED**, that each student liaison is encouraged to keep their respective student body associations apprised of issues of interest to community youth so as to obtain broad based opinions on issues to be shared with the Council; and

**BE IT FURTHER RESOLVED** that the Mayor, with the consent of the Council, may appoint a Council member to serve as an advisor/mentor to the student liaison

PASSED and APPROVED this 28<sup>th</sup> day of September, 2015.

\_\_\_\_\_  
Michael Canon, Mayor

ATTEST: \_\_\_\_\_  
Connie Byers, Clerk-Treasurer

AGENDA BILL: H2

AGENDA TITLE: PURCHASE OF SOFTWARE AND PROFESSIONAL SERVICES

DATE: SEPTEMBER 28, 2015

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X   
RESOLUTION  X  OTHER \_\_\_\_\_  
MOTION  X

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**EXPLANATION:**

One area that has not been converted from the old ASP financial system is the business and animal license fees and tie in to the Vision cash management system. The business and animal license fees are currently transferred from the old ASP system to the Vision system by hand. By adding the business and animal license module to the Vision cash management system, it will provide more seamless accounting of those fees and save administrative time.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION: I MOVE TO ADOPT RESOLUTION NO 639 AUTHORIZING THE PURCHASE OF SOFTWARE AND PROFESSIONAL SERVICES FROM VISION MUNICIPAL SOLUTIONS, LLC.**

**CITY OF GOLDENDALE  
GOLDENDALE, WASHINGTON**

**RESOLUTION NO. 639**

**A RESOLUTION OF THE CITY OF GOLDENDALE, WASHINGTON  
AUTHORIZING THE PURCHASE OF SOFTWARE AND PROFESSIONAL SERVICES  
FROM VISION MUNICIPAL SOLUTIONS, LLC**

**WHEREAS**, the City currently uses software and professional services from Vision Municipal Solutions, LLC for its utility billing, cash management, financial and payroll accounting system; and

**WHEREAS**, the City requires consistency in its software and professional services for its software and hardware computer systems; and

**WHEREAS**, the City believes it is imperative that a business license and animal license module be installed to improve the accounting for and connection to the City's cash management system to facilitate the ongoing reliable operation; and

**WHEREAS**, the City believes it is in the best interest of the City to have the license module installed so that the license module and the training can be installed prior to the proposed conversion date of 1/1/2016; and

**WHEREAS**, the specialized supplier of this software and professional service is clearly and legitimately limited to a single source of supply within the local area, this becomes subject to waiving competitive bidding requirement per RCW 35.23.352(9) competitive bidding exemptions and RCW 39.04.280(1)(a) sole source and RCW 39.04.280 (1)(b) special market conditions; and

**WHEREAS**, the attached invoice details the software and professional services costs meets the needs and is best suited for the City of Goldendale; and

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GOLDENDALE, THAT**

1. The City of Goldendale purchase the software and professional services from Vision Municipal Services, LLC in an amount not to exceed \$8,000.
2. Payment for these services will not be billed until 2016 and that the payment for the same will come from the 2016 budget.
3. The above-described circumstance is justification for the waiver of bidding requirements under the authority of RCW 35.23.352(9) competitive bidding exemptions and RCW 39.04.280(1)(a) sole source and RCW 39.04.280 (1)(b) special market conditions.

READ, APPROVED AND PASSED BY THE CITY COUNCIL OF THE CITY OF GOLDENDALE, this 28<sup>th</sup> day of September, 2015

\_\_\_\_\_  
Michael Canon, Mayor

Attest:

\_\_\_\_\_  
Connie Byers, Clerk-Treasurer



Vision Municipal Solutions, LLC  
 PO Box 28429  
 Spokane, WA 99228  
 Phone (509) 315-8845 Fax (888) 223-6007  
 Website: www.visionms.net Email: info@visionms.net

**Vision Software and Professional Services for:  
 The City of Goldendale**

<u>Software:</u>	<u>Cost</u>	<u>Software Assurance</u>
Vision Business Licenses	\$4,000.00	\$600.00
Vision Pet Licenses	\$2,000.00	\$300.00
Vision Reporting Services	<u>Included</u>	<u>Included</u>
<b>TOTAL SOFTWARE</b>	<b>\$6,000.00</b>	<b>\$900.00</b>
<u>Professional Services:</u>		
Electronic conversion of Business License data files	\$500.00	
Electronic conversion of Pet License data files	\$500.00	
Configuration of Microsoft SQL Server	\$300.00	
On-site training (Not subject to sales tax)	<u>\$700.00</u>	
<b>Total Professional Services</b>	<b>\$2,000.00</b>	
<b>GRAND TOTAL</b>	<b>\$8,000.00</b>	

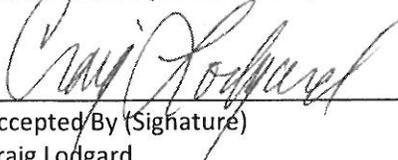
**Contract Notes:**

- Travel expenses will be billed after scheduled Software is installed.
- Sales and use tax applies to all quoted Software and professional services. Sales and use tax does not apply to on-site training.
- Microsoft SQL Server 2008 Standard Edition or higher is required for Software. If the Licensee owns Microsoft SQL Server, this can be set up for Software. If Licensee needs to purchase Microsoft SQL Server 2012, the approximate cost is \$800 for the initial license and \$200 for each additional user.
- The cost for data conversion is an estimate, actual cost will be determined after completing a review of Licensee's data. Actual costs will be agreed upon by Developer and Licensee before the conversion begins.
- Sale of Software is subject to the below described Software License Agreement.

**Acceptance of Agreement:**

**Vision Municipal Solutions, LLC.**

**City of Goldendale**

  
 \_\_\_\_\_  
 Accepted By (Signature)  
 Craig Lodgard  
 \_\_\_\_\_  
 Printed Name  
 \_\_\_\_\_  
 Managing Member  
 \_\_\_\_\_  
 Title:  
 \_\_\_\_\_  
 04/16/2015  
 \_\_\_\_\_  
 Date

\_\_\_\_\_  
 Accepted By (Signature)  
 \_\_\_\_\_  
 Printed Name  
 \_\_\_\_\_  
 Title  
 \_\_\_\_\_  
 Date



Vision Municipal Solutions, LLC  
PO Box 28429  
Spokane, WA 99228  
Phone (509) 315-8845 Fax (888)223-6007  
Website: www.visionms.net Email:info@visionms.net

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## Software License Agreement between the City of Goldendale and Vision Municipal Solutions, LLC

This Software License Agreement ("Agreement") is made by and between **Vision Municipal Solutions, LLC** ("Developer") and the City of Goldendale ("Licensee").

Developer has developed and licenses to users its Software programs marketed and sold under the name "Vision Licenses," and/or "Vision Reporting Services" (collectively, "Software").

Licensee desires to utilize a copy of the Software.

NOW, THEREFORE, in consideration of the mutual promises set forth herein, Developer and Licensee agree as follows:

**1. License:**

Developer hereby grants to Licensee a perpetual, non-exclusive, non-transferable, and irrevocable license to use the Software at the City of Goldendale, on the terms, and subject to the conditions, set forth herein.

**2. Restrictions:**

Licensee shall not modify Software source code, duplicate, copy, or reproduce Software, or transfer or convey Software, or any right in Software, to any third party without the express, prior written consent of Developer. Notwithstanding the foregoing, Licensee may make copies of Software for backup or archival purposes.

**3. License Fee:**

For and in consideration for the grant of the herein license and the use of Software, Licensee agrees to pay Developer the sum of \$6,000.00 plus any and all applicable sales or use tax.

**4. Warranty:**

A. Developer hereby represents and warrants to Licensee that Developer is the sole owner of the Software or otherwise has the right to grant to Licensee the rights to use Software.

B. For a period of one year (365 days) following the installation of Software to Licensee, Developer warrants that Software shall perform in all material respects according to Developer's specifications. In the event of any breach or alleged breach of this warranty, Licensee's sole and exclusive remedy shall be that Developer shall correct Software so that it operates according to the warranty. This warranty shall not apply if (i) Software is in anyway modified by Licensee, (ii) if Software is used improperly, including, without limitation, improper data entry, (iii) Software is not used with appropriate computer equipment, or (iv) if Software is used on operating systems or environments not approved by Developer.



Vision Municipal Solutions, LLC

PO Box 28429

Spokane, WA 99228

Phone (509) 315-8845 Fax (888)223-6007

Website: [www.visionms.net](http://www.visionms.net) Email: [info@visionms.net](mailto:info@visionms.net)

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**5. Annual Software Assurance Program Schedules:**

The Software Assurance Program includes telephone support, email support, and on-line programs provided by Developer and product updates and enhancements to include any standard reports added to the system. Licensee will be required to have a high speed internet connection for Software updates and allow Developer the right to remote access for program updates and maintenance work when required. As part of the Software Assurance Program, Developer shall provide to Licensee any new, corrected, or enhanced versions of Software as created by Developer. Such enhancements shall include, but shall not be limited to, all modifications to Software that increase the performance, efficiency, or ease of use of the Software, or add additional capabilities or functionality to the Software. "Enhancements" do not include any customizations to Software requested by Licensee, which shall be will be quoted on a per-job basis at Developer's then hourly rate (currently, \$125.00 per hour, but such rate is subject to change).

In the year of Software installation, the Software Assurance amount listed on page 1, will be pro-rated for the remainder of that year. After the year of Software installation, Developer shall bill Licensee on an annual basis, payable in advance, for the Software Assurance Program, at Developer's then current rates.

**6. Payment and acceptance:**

Payment for Software, hardware, and installation services shall be made by Licensee after all items contracted for have been delivered and Licensee has deemed all Software, hardware, and installation services delivered and accepted.

**7. Time Payment Schedule:**

Developer will bill Licensee in January of each year pursuant to such schedule, including then applicable sales and use tax. Licensee may at any time prepay without penalty or premium all amounts due under the payment plan. If Licensee elects to terminate its agreement for software and services with Developer, all remaining amounts under the payment plan for Software, if any, are immediately due and payable, along with then applicable sales or use tax. The Software Assurance Program shall then immediately terminate and Developer shall not bill Licensee for any future years, nor shall Developer refund Licensee any amounts.

**8. Limitation of Liability:**

Developer shall not be responsible for, and shall not pay, any amount of incidental, consequential, or other indirect damages, whether based on lost revenue or otherwise. In no event shall Developer's liability hereunder exceed the amount of license fees paid by Licensee regardless of whether Licensee's claim is based on contract, strict liability, or product liability.

**9. Installation Travel Expenses billed to the customer:**

Licensee shall reimburse Developer for any and all travel expenses associated with the installation of Software at Licensee's site. If Developer uses Developer's vehicles (or Developer's employees use personal vehicles) Licensee shall reimburse Developer for mileage at then applicable IRS rates. If Developer (or employees of Developer) use a rental car, Licensee shall reimburse Developer for the actual rental car rate and actual gas charged. Licensee shall reimburse Developer for any and all per diem charges at the then current state published rate. Licensee shall reimburse Developer if Developer's employees are required to stay overnight.

AGENDA BILL: 11

AGENDA TITLE: 2<sup>ND</sup> READING REVISED NUISANCE  
CONTROL ORDINANCE

DATE:

**ACTION REQUIRED:**

ORDINANCE \_\_\_\_\_ COUNCIL INFORMATION  X

RESOLUTION \_\_\_\_\_ OTHER \_\_\_\_\_

MOTION  X

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**EXPLANATION:**

After the 1<sup>st</sup> reading no changes were made. The Ordinance is ready for adoption.

**FISCAL IMPACT:**

**ALTERNATIVES:**

**STAFF RECOMMENDATION:**

**MOTION: I MOVE TO ADOPT ORDINANCE NO 1455 REVISIONS TO THE  
NUISANCE ORDINANCE.**

**CITY OF GOLDENDALE**  
**GOLDENDALE, WASHINGTON**  
**ORDINANCE NO. 1455**

**AN ORDINANCE OF THE CITY OF GOLDENDALE, WASHINGTON, AMENDING THE  
CURRENT GOLDENDALE MUNICIPAL CODE CHAPTER 8.45**

**WHEREAS**, the City of Goldendale City Council wishes to amend Chapter 8.45 of the Goldendale Municipal Code,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GOLDENDALE DOES  
ORDAIN AS FOLLOWS:**

**Section 1:** The current Goldendale Municipal Code 8.45 Nuisance amended to read as follows:

**Chapter 8.45  
NUISANCES**

Sections:

- 8.45.010 Findings and purpose.
- 8.45.020 Emergencies.
- 8.45.030 Other powers reserved.
- 8.45.040 Permit required.
- 8.45.050 Penalties.
- 8.45.060 Definitions.
- 8.45.070 Nuisance defined.
- 8.45.100 Duties of the officer.
- 8.45.120 Duties of the board.
- 8.45.150 Rules and regulations.
- 8.45.200 Determination of unfitness.
- 8.45.210 Standards for determination of unfitness.
- 8.45.230 Security of unoccupied dwellings, buildings, structures or premises.
- 8.45.300 Preliminary investigation.
- 8.45.310 Notice and order, contents.
- 8.45.320 Service of notice and order--Filing with county auditor.
- 8.45.330 Voluntary correction agreement.
- 8.45.400 Board hearing to review notice and order.
- 8.45.410 Enforcement.
- 8.45.500 Appeal of board decision.
- 8.45.510 Hearings before the appeal decision-maker.
- 8.45.520 Appeal to superior court.
- 8.45.550 Administrative Fees.

8.45.560 Abatement

8.45.610 Recovery of administrative fees and costs

#### **8.45.010 Findings and purpose.**

There exist within the city of Goldendale dwellings that are unfit for human habitation, and buildings, structures, and premises, or portions thereof, that are unfit for other uses, due to dilapidation, disrepair, structural defects, defects increasing the hazards of fire, accidents, or other calamities, inadequate ventilation and uncleanness, inadequate light or sanitary facilities, inadequate drainage, overcrowding, or due to other conditions that are harmful to the health, safety and welfare of the residents of the city.

The purpose of this chapter is to implement the process and to acquire and exercise the powers authorized by Chapter 35.80 RCW to address conditions such as those described above that render dwellings, buildings, structures, and premises in the city unfit for human habitation and other uses. It is the policy of the City that the property owner (and not a tenant) is ultimately responsible for complying with the Goldenale Municipal Code, including this chapter.

#### **8.45.020 Emergencies.**

The provisions of this chapter shall not prevent the city officer or any other officer of the city of Goldendale or any other governmental unit from taking any other action, summary or otherwise, necessary to eliminate or minimize an imminent danger to the health or safety of any person or property.

#### **8.45.030 Other powers reserved.**

Nothing in this chapter shall be construed to abrogate or impair the powers of the courts or of any department of the city to enforce any provisions of its ordinances or regulations, or to prevent or punish violations thereof. The powers conferred by this chapter shall be in addition and supplemental to the powers conferred by any other law.

Nothing in this chapter shall be construed to impair or limit in any way the power of the city of Goldendale to define and declare nuisances and to cause their removal or abatement, by summary proceedings or otherwise.

#### **8.45.040 Permit required.**

Any work, including construction, repairs or alterations performed under this chapter to rehabilitate or repair any subject property shall be subject to applicable permit provisions of this code.

#### **8.45.050 Penalties.**

It is unlawful and a violation of this chapter to knowingly:

- A. Occupy or suffer to be occupied any subject property ordered vacated pursuant to this chapter;
- B. Fail to comply with any order issued pursuant to this chapter;

C. Obstruct any officer or agent of the city of Goldendale or other governmental unit in the enforcement of this chapter; or

D. Remove, deface, obscure or otherwise tamper with any notice posted under this chapter.

Violation of this chapter is a gross misdemeanor.

#### **8.45.060 Definitions.**

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Unless specifically defined below or unless context clearly requires a different meaning, terms used in this chapter shall have the meaning given them by the currently adopted edition of the International Building Code. Gender and number shall be interchangeable. Defined terms or concepts from Titles 12, 15, 17, and 18 of this code shall apply generally to this chapter.

“Abandoned” refers to any property, real or personal, which is unattended and either open or unsecured so that, in the case of real property, admittance may be gained without damaging any portion of the property, or which reasonably appears not to be presently possessed by any person. Examples of real or personal property that may reasonably appear abandoned include, without limitation, dwellings, buildings, structures, and other premises where utilities are disconnected, debris is accumulated, uncleanness or disrepair is evident, or where items of personal property are located in places where such items are not normally kept or used.

“Abatement” means the correction or elimination of conditions that render dwellings unfit for human habitation, or that render buildings, structures, and premises, or portions thereof, unfit for other uses.

“Appeal decision-maker” means the city council.

“Board” means the community review board established under this chapter or, upon the election of the city council and notwithstanding any other provision of this chapter to the contrary, the city’s duly constituted board of adjustment.

“Boarded-up building” means any unoccupied building the exterior openings of which are closed by extrinsic materials or devices installed on a long-term, rather than brief temporary basis, giving to the building the appearance of nonoccupancy or nonuse for an indefinite period of time.

“Building” means any building, dwelling, structure, or mobile home, factory-built house, or part thereof, built for the support, shelter, or enclosure of persons, animals, chattels or property of any kind.

“City council” means the city council of the city of Goldendale.

“Costs” means the city’s actual expenses incurred to correct illegal conditions pursuant to the provisions of this chapter including incidental expenses as defined in section 8.45.600(B) of this code.

“Designated driveway” means the clearly defined roadway leading from the street which is surfaced by asphalt, concrete, gravel or similar material that leads to or could in the future lead to a garage, or otherwise as shown on city-approved building or site plans approved by the public works department.

“Earth tone” means a color scheme that draws from a color palette of browns, tans, warm grays, and greens. The colors in an earth tone scheme are muted and flat in an emulation of the natural colors found in dirt, moss, trees and rocks.

“Imminent danger” means an immediate exposure or liability to injury, harm or loss.

“Interested person” means any person entitled to notice of a notice and order issued by the officer under Section 8.45.320.

“Nuisance” is the unlawful performance of an act or omission to perform a duty, which act or omission either unreasonably annoys, injured or endangers the comfort, repose, health or safety of others, unreasonably offends decency, or unlawfully interferes with, obstructs or tends to obstruct, or render dangerous for passage, any lake or navigable river, bay, stream, canal or basin, or any public park, square, street or highway, or in any way renders other persons insecure in life, or in the use of property. Any violation of the Goldendale Municipal Code relating to health, safety, comfort, welfare or general well-being of the citizens of the City of Goldendale is hereby declared to be a nuisance and a violation of this chapter, including but not limited to public nuisances set forth in section 8.45.070 of this code. Violations of Titles 15 and 17 of this code are public nuisances under this chapter.

“Officer” means the code enforcement officer of the city of Goldendale, or his or her duly appointed designee.

“Owner” means any person having any interest in the real estate in question as shown upon the records of the office of the Klickitat County auditor or the office of the Klickitat County assessor, or who establishes his/her interest before the officer, board, or city council. For the purpose of giving notice, the term “owner” also includes any person in physical possession

“Party in interest” means any person entitled to notice of a notice and order issued by the officer under Section 8.45.310.

“Person” means natural person, joint venturer, joint stock company, partnership, association, club, company, corporation, business trust, organization, or the manager, lessee, agent, servant, officer or employee of any of them.

“Recreational vehicle” means a currently licensed motorized or nonmotorized conveyance that includes, but is not limited to, motor homes, travel trailers, folding tent trailers, truck campers removed from a truck or pickup, horse trailers, boat trailers with or without boats, utility trailers, and similar vehicles.

“Repeat violation” means a violation by the same person of the same regulation in any location for which voluntary compliance has been sought within two years, or for which a notice and order has been issued within two years.

“Subject property” means the dwelling, building, structure or premises that are the subject of investigation or an enforcement action pursuant to this chapter.

“Vehicle” or “motor vehicle” means a currently titled motorized or nonmotorized conveyance that includes, but is not limited to, an automobile, car, truck, trailer, camper, motorcycle, or watercraft, in operable condition.

#### **8.45.070 Types of nuisances.**

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It shall be a “public nuisance” within the City of Goldendale if any responsible person or persons shall maintain or allow to be maintained on real property which he or she may have charge, control or occupy, except as may be permitted by any other city ordinance, whether visible or not from any public street, alley or residence, any of the following conditions:

1. A nuisance defined by statute or ordinance.
2. A nuisance at common law, either public or private.
3. An attractive nuisance, whether in or on a building, a building premises or an unoccupied lot and whether realty, fixture or chattel, which might reasonably be expected to attract children of tender years and constitute a danger to them, including, but not limited to, abandoned wells, ice boxes or refrigerators with doors and latches including magnetic doors, shafts, basements or other excavations, abandoned or inoperative vehicles or other equipment, structurally unsound fences or other fixtures, lumber, fencing, vegetation or other debris.
4. Filthiness or that which is dangerous to human life or detrimental to health.
5. Any accumulation of material on a property including but not limited to animal matter, ashes, bottles, boxes, broken stone, building materials which are not properly stored or neatly piled, cans, cement, crates, empty barrels, dead animals or animal waste, glass, litter, mattresses or bedding, old appliances, equipment, vehicle or any parts thereof, furniture, iron or other scrap metal, packing cases, packing material, plaster, plastic, rags, wire, yard waste or debris or other objects which endanger property or public safety, or constitute a fire hazard or vermin habitat; provided, that nothing set forth in this chapter shall be construed to prevent the temporary retention of waste in approved, covered receptacles for no more than seven consecutive days; provided, further, nothing set forth in this chapter shall be construed to prevent the keeping or storage of building materials, iron or other scrap metal on private property which is screened from view (a structurally sound wooden fence or slatted chain link

fence in an earth tone color) or within an enclosed building. This section does not apply to any property or situation where a development regulation applies.

6. Any wrecked, inoperable, abandoned or disassembled equipment, trailer, boat, tractor, automobile, recreation vehicle or any other vehicle, or any parts thereof. Evidence of abandonment includes, but is not limited to, all vehicles or vehicle bodies which have not been moved for a period of thirty days as evidenced by the vehicle being covered by moss, leaves, needles or other vegetation, or has grass or other vegetation growing up around the vehicle, or other circumstances exist, so as to support a reasonable belief that the vehicle has not been moved for thirty days or more. This includes apparently inoperable, immobile, disassembled or extensively damaged vehicles. Evidence of inoperability and damage includes, but is not limited to, a buildup of debris that obstructs use, a broken window or windshield, a missing wheel, a flat tire, a nonfunctional motor, transmission or differential, missing bumpers or missing or expired license plates; provided, nothing set forth in this chapter shall be construed to prevent the keeping or storage of any vehicle on private property, outside the building line for the front yard or side yard flanking a street, which is screened from a street/alley view by a structurally sound wooden fence or slatted chain link fence in an earth tone color or within an enclosed building. This section does not apply to any property or situation where a development regulation applies. Also, the section does not apply to one project vehicle on which the owner is working for no more than one 30 day period.

7. Any vehicles or recreational vehicles parked, stored or kept outside of the designated driveway, within a residential use, provided nothing set forth in this section shall be construed to prevent the keeping or storage of any vehicle on private property, outside the building line for the front yard or side yard flanking a street, which is screened from view by a structurally sound wooden fence or slatted chain link fence, in an earth tone color or within an enclosed building. Where a property address has more than one driveway, the vehicles may only be parked in one driveway in the area between the front of the residence or principal structure and the lot front line.

8. Vegetation. Vegetation left cut and/or in an unkempt stage may cause safety hazards, fire hazards, and/or pest harborages, and may interfere with, annoy, injure or endanger the comfort, repose, health or safety of others, or unlawfully interferes with, obstructs or tends to obstruct, or render dangerous for passage, street or highway; or in any way render other persons insecure in life, or in the use and enjoyment of property, thus constituting a public nuisance.

a. Any tree which is in danger of falling and creates a substantial risk of damage or injury is declared to be a public nuisance.

b. Trees, plants, bushes, shrubs, vines, other vegetation or parts thereof which overhang any sidewalk, street, alley or other public way which are growing in such a manner as to cause a sight distance hazard or to obstruct or impair the full use of the sidewalk, street, alley or other public way are declared to be a public nuisance.

c. Trees, plants, bushes, shrubs, grasses, vines, other vegetation or parts thereof that are growing and/or grown and died and are now causing a fire hazard or menace to public health and safety, or are degrading or causing a decline of the character of the neighborhood are also declared to be a public nuisance.

d. Grasses (lawn) within the yards of all residential properties which are not maintained at a height of six inches or less are also declared to be a public nuisance.

e. Grasses, ground cover, and/or vines on vacant lots that are within or adjacent to developed areas which are not used for agricultural purposes, not wooded and are not part of a wetland or other sensitive environmental system, which are not maintained at a height of twelve inches or less are also declared to be a public nuisance.

f. Destroying or allowing no vegetation so as to create soil erosion or a dust control problem is declared to be a public nuisance.

g. The duty to maintain property extends to and includes the area of the public right-of-way adjacent to and between the property of the person owning, leasing, renting, occupying, being in possession or having charge of the private property and the paved road.

9. 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.

10. Any vacant or abandoned residence that is or remains unoccupied or unused for ninety or more consecutive days shall meet the following minimum maintenance standards or be declared a nuisance:

a. Premises. The premises shall be clean, safe, and sanitary, free from waste, garbage, excessive vegetation, and shall not pose a threat to the public health, welfare, or safety. Effective measures shall be taken to protect against the breeding or presence on the premises of vermin. The premises or yard shall be maintained free from weeds and turf grasses in excess of six inches.

b. Building or Structure. Building or structures shall be maintained in good repair and be structurally sound. Structural members shall be free of deterioration and shall be free from safety, health, and fire hazards, and shall not pose a hazard to public health, safety, and welfare.

c. Building Openings. All doors, windows, and other openings shall be weather-tight and secured against entry by birds, vermin, and trespassers. Missing or broken doors, windows, and other openings shall be covered by glass, plywood, or other weather-resistant materials and tightly fitted and secured to the opening.

d. Foundation Walls. Foundation walls shall be animal- and vermin-proof and be maintained in a structurally sound and sanitary condition so as not to pose a threat to the public health, safety and welfare.

e. Exterior Walls. Exterior walls shall be free of holes, breaks, and loose or rotting materials. Exposed metal, wood, or other surfaces shall be protected from the elements and against decay or rust.

f. Exterior Features. All chimneys, decks, balconies, canopies, awnings, exhaust ducts, cornices, corbels, trim, wall facings, drains, gutters, downspouts, and similar features shall be safely anchored.

g. Roofs. The roof and flashings shall be maintained in good repair and be structurally sound, so as not to pose a threat to the public health, safety and welfare.

#### **8.45.100 Duties of the officer.**

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The officer is the chief administrative officer for the purposes of this chapter. The officer's duties and powers include:

A. Investigation of all dwellings, buildings, structures or premises the officer, pursuant to this chapter, has reasonable grounds to believe contain or constitute a nuisance under this chapter or are unfit for human habitation or other purposes;

B. Preparation, service and posting of notices and orders according to the provisions of this chapter regarding subject properties that he/she has reasonable grounds to believe, pursuant to this chapter, are unfit for human habitation or other purposes; and

C. Doing all things necessary and proper to carry out and enforce this chapter.

#### **8.45.120 Duties of the board.**

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The board shall, pursuant to the provisions of this chapter:

A. Conduct administrative hearings pursuant to Section 8.45.400 to consider notices and orders issued by the officer together with such other evidence as may be received from the officer or other interested parties and persons, and, where appropriate, to confirm, modify, or disconfirm such notices and orders by written decision;

B. Do all things necessary and proper to carry out and enforce this chapter;

C. Annually select one member to serve as chair and another to serve as vice-chair of the board.

#### **8.45.150 Rules and regulations.**

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The officer and board may establish such rules and procedures as may reasonably and fairly administer the provisions and achieve the purposes of this chapter and do substantial justice. The officer and board shall recognize and give appropriate effect to special and extenuating circumstances which, in order to do substantial justice in specific cases, warrant the exercise of discretion to adjust the timeframes, standards, and other provisions of this chapter. Examples of circumstances that may warrant such exercise of discretion include, without limitation, medical illness or disability affecting a property owner's or other responsible person's ability to respond to orders or appear at

hearings, and bona fide insurance coverage disputes that create a definite risk that enforcement of this chapter would unfairly result in a substantial economic loss to the property owner. The officer and the board are authorized to exercise such powers, consistent with the provisions of this chapter, as may be necessary or convenient to reasonably and fairly achieve the purposes of this chapter. These powers shall, without limitation, include the following in addition to others herein granted: (a)(i) To determine, subject to the provisions of this chapter, which dwellings within the city contain or constitute a nuisance and/or are unfit for human habitation; (ii) to determine, subject to the provisions of this chapter, which buildings, structures, or premises are unfit for other uses; (b) in the case of the board, to administer oaths and affirmations, examine witnesses and receive evidence; and (c) to investigate dwellings, buildings, structures, or premises that may violate the provisions of this chapter. When authorized by consent of the owner or other party in possession of a subject property, or if consent to enter either cannot be requested because the owner or party in lawful possession is not available, or is refused or revoked, when authorized by judicial warrant or other legal authority, the officer may enter upon subject properties either to investigate violations or to enforce the provisions of this chapter. During such entries, the officer shall take reasonable steps to minimize inconvenience to persons in lawful possession of the subject property.

#### **8.45.200 Determination of unfitness.**

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The officer, after preliminary investigation, or the board after the hearing provided in this chapter, or when acting on appeals under this chapter, the city council may determine that a dwelling, building, structure, or premises are unfit for human habitation or other use if the officer or the board finds that conditions exist in such dwelling, building, structure, or premises that are dangerous or injurious to the health or safety or welfare of the occupants of such dwelling, building, structure, or premises, the occupants of neighboring dwellings, or other residents of the city.

#### **8.45.210 Standards for determination of unfitness.**

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In determining that a dwelling, building, structure, or other premises is unfit for human habitation or other uses, the officer, board, or when acting on appeals under this chapter, the city council shall consider: (a) dilapidation, (b) disrepair, (c) structural defects, (d) defects increasing the hazards of fire, accidents or other calamities, such as parts standing or attached in such manner as to be likely to fall and cause damage or injury, (e) inadequate ventilation, (f) uncleanness, (g) inadequate light, (h) inadequate sanitary facilities, (i) inadequate drainage, (j) substandard conditions, (k) other conditions that affect the fitness of the building or premises for human habitation or other purposes.

#### **8.45.230 Security of unoccupied dwellings, buildings, structures or premises.**

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A. The officer, or his/her designee, may determine whether or not any unoccupied dwelling, building, structure, premises, or portion thereof ("subject property") is unfit for human habitation or other purposes because:

1. It is not secure against unauthorized entry by children, criminals, or other persons;
2. It is not secure against infestation by insects or animals;
3. It is not secure against deterioration as a result of exposure to vandalism, weather, or the elements;
4. It is inadequately maintained and repaired as evidenced by broken windows, overgrown vegetation, graffiti, or other conditions.

B. In making this determination, the officer, or his/her designee, shall consider and document with photographs and/or written accounts the factors that in his/her judgment reasonably bear on the determination, including without limitation:

1. The physical condition of the subject property and whether it reflects ongoing maintenance and repair, including the presence of broken windows or evidence of vandalism, overgrown vegetation, the presence of insect or animal pests, deterioration due to weather or exposure to the elements, and whether graffiti, if any, is painted over promptly;
2. How long the subject property has been unoccupied;
3. Whether the subject property is being actively marketed for sale or lease;
4. Other facts that demonstrate that the subject property already has been, or that affect the likelihood that it will be, subject to hazards and circumstances contrary to the health, safety, and welfare of the public;
5. Other considerations prescribed by this chapter.

C. In addition to any other powers authorized by this chapter, the officer, or his/her designee, is authorized to order the owner of and other persons responsible for any subject property determined to be unfit for human habitation or other purposes under this section to perform any or all of the following on or before a stated compliance deadline:

1. Secure all exterior openings of the building by minimum half inch plywood cut to fit the opening and fastened to the building by minimum one and a quarter inch long Sheetrock screws at six inches on center around said openings, or upon written request by owner of the property, by such alternative materials and/or methods as the officer, or his/her designee, may determine are adequate to make the dwellings, buildings, structures, premises, or portions thereof weather-tight and to ensure that it is secure against unauthorized entry;
2. To disconnect all utilities, including electricity, gas and water;
3. To remove any graffiti and to keep the subject property free of graffiti;

4. To maintain the premises generally free of any vegetation or other matter that may constitute a nuisance or a fire hazard.

D. Orders of the officer, or his/her designee, issued under this section may be modified from time to time in response to new information or changed circumstances regarding the dwelling, building, structures, premises, or portion thereof.

E. The officer, or his/her designee, shall routinely monitor compliance of any unoccupied dwelling, building, structures, premises, or portion thereof that has been the subject of orders issued under this chapter, and shall formally inspect and document the condition of such subject property at least once every six months while the dwelling, building, structure, or premises remains unoccupied.

#### **8.45.300 Preliminary investigation.**

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After the city learns of a possible nuisance or unfit dwelling, building, structure, or other premises, the officer shall investigate whether such condition(s) actually exists. This investigation will usually include reasonable efforts to speak with the owner of the subject property, or the tenant if the property is rented. The officer will make a record of the investigation, including:

A. Identification of the subject property;

B. Documentation of inspection actions, including relevant dates, efforts to establish identity of and contact owners and tenants;

C. Written observations relevant to possible nuisance or conditions of unfitness, possibly including diagrams of the building or premises and photographs;

D. The officer's conclusion whether or not the dwelling, building, structure, or other premises contain or constitute a nuisance or is otherwise unfit for human habitation or other uses. If the officer determines no actual violation exists, he/she will note such determination for the record for the subject property and the matter shall be concluded. The officer shall notify complainants, the owner, or other persons who have requested notice of his/her determination.

#### **8.45.310 Notice and order, contents.**

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If, after preliminary investigation, the officer determines that a dwelling, building, structure, or other premises contains or constitutes a nuisance or is unfit for human habitation or other uses, the officer shall serve, according to the provisions of Section 8.45.320 GMC, a notice and order that shall state, identify, or describe:

A. The subject property including at least the property address and county assessor's tax parcel number;

B. The conditions on the subject property that are illegal and that render one or more dwellings, buildings, structures there, or the premises unfit for human habitation or other use;

- C. What must be done to correct such illegal condition(s);
- D. The deadline for correction of such condition(s), which will allow a reasonable time for correction and will be set at least forty-eight hours before the matter will be presented at a meeting of the board;
- E. The costs or administrative fees that may be charged to the owner as a consequence of the described illegal conditions;
- F. The place and date, which shall be not less than ten nor more than thirty days after the notice and order is served, where and when the matter will be presented to the board, when the board will be requested to:
1. Confirm the officer's determination of nuisance or unfitness,
  2. Authorize the city to proceed to abate the described illegal conditions on the subject property if such conditions are not corrected before the deadline or otherwise corrected by the property owner or other responsible party,
  3. Confirm that the owner shall pay administrative fees plus the costs incurred by the city, through the date of the board's confirmation of the illegal conditions, together with such costs as the city reasonably subsequently incurs to abate the illegal conditions and administrative fees for such subsequent abatement;
- G. That all parties in interest shall be given the right to file an answer to the notice and order, to appear in person, or otherwise, and to give testimony at the time and place for the board's review stated in the notice and order;
- H. The city's policy that the officer may reduce the city's costs and/or administrative fees for a first offense if the illegal conditions are corrected at least forty-eight hours prior to the board hearing;
- I. Invite the owner's cooperation and inform the owner of the city's policy that first offenders may negotiate a voluntary correction agreement consistent with the provisions of Section 8.45.330 GMC in which, among other things, the owner:
1. Admits that the illegal condition(s) exist(s),
  2. Promises to correct the illegal condition(s) by an agreed deadline no more than ninety days from the original deadline,
  3. Is advised of his/her rights under the state and federal constitutions to refuse consent to entry, to limit the scope of consent to entry, and to withdraw consent to entry once given, and the owner consents to entry on the subject property by the city or persons under contract with the city to correct any illegal condition(s) that are not corrected by the deadline,

4. Agrees to pay the city's costs to abate the illegal conditions if the owner fails to do so;

J. In the case of subject property lawfully occupied by someone other than the owner, no voluntary correction agreement will be offered unless such persons lawfully occupying the subject property also consent to entry by the city or persons under contract with the city to correct the illegal condition(s) described that are not corrected by the deadline;

K. Advise the owner that if the illegal conditions are not corrected, the city may pursue the matter further by civil and/or criminal enforcement, in addition to further proceedings under this chapter;

L. Advise the owner of the city's policy that generally repeat offenders will be prosecuted;

M. Advise the owner and other interested persons of programs for assistance that may be provided by the city, and such other programs and community resources as the officer believes may assist the owner or others to correct the illegal conditions.

#### **8.45.320 Service of notice and order--Filing with county auditor.**

If, after a preliminary investigation of any dwelling, building, structure, or premises in the City of Goldendale, the officer determines that it contains or constitutes a nuisance or is unfit for human habitation or other use, he/she shall cause to be served, either personally or by certified mail, with return receipt requested, upon all persons having any interest in the subject property, as shown upon the records of the Klickitat County auditor's office, and shall post at one or more conspicuous places on the subject property, a copy of the notice and order stating, in accordance with the provisions of Section 8.45.060-.070 GMC, in what respects such dwelling, building, structure, or premises is unfit for human habitation or other use. If the whereabouts of any of such persons is unknown and the same cannot be ascertained by the officer in the exercise of reasonable diligence, and the officer makes an affidavit to that effect, then service of such notice and order upon such persons may be made either by personal service or by mailing a copy of the notice and order by certified mail, postage prepaid, return receipt requested, to each such person at the address of the building or premises involved in the proceedings, and mailing a copy of the notice and order by first class mail to any address of each such person in the records of the county auditor for the county where the property is located. Such notice and order shall contain a notice that a hearing will be held before the board at a place therein fixed, not less than ten days nor more than thirty days after the serving of said notice and order; and that all parties in interest shall be given the right to file an answer to the notice and order, to appear in person, or otherwise, and to give testimony at the time and place in the notice and order. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the board. A copy of such notice and order, or a notice of the enforcement action, shall also be filed with the county auditor, and such filing of the notice and order or notice of enforcement action shall have the same force and effect as other lis pendens notices provided by law.

#### **8.45.330 Voluntary correction agreement.**

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A. The officer may execute a voluntary correction agreement with the owner of a dwelling, building, structure, or other premises the officer determines is unfit for human habitation or other uses.

B. A voluntary correction agreement is a contract between the city and the owner in which the owner and any other person entitled to possession of the subject property promise to correct the illegal conditions within a specified time and according to specified conditions. The voluntary correction agreement shall include:

1. The name and address of the owner of the subject property and any other person bound under the contract, including all lessees or other persons entitled to possess, use, or occupy the property with an expectation of privacy;
2. The street address and a legal description sufficient to identify the subject property, such as the county assessor's tax parcel number;
3. A description of the illegal conditions that render the subject property a nuisance or unfit for human habitation or other uses, and a reference to the provisions of this chapter or other regulation that has been violated;
4. The corrective action the owner and any others promise to complete, and a date and time by which the corrective action must be completed;
5. A stipulation by the owner that the illegal condition(s) identified in the notice and order exist(s), and that the corrective actions specified in the voluntary correction agreement are appropriate;
6. Express consent to entry onto the subject property by city staff or persons under contract with the city to ascertain compliance with the voluntary correction agreement and/or to correct the illegal conditions described in the notice and order in the event of material breach. Such consent shall reflect that the city has presented a statement advising the property owner and any other lawful possessor of his/her rights under the state and federal constitutions to refuse consent to entry, to limit the scope of consent to entry, and to withdraw consent to entry once given. This statement of rights and consent to entry must be initialed by the property owner and other lawful possessor of the subject property. The owner must stipulate that the city of Goldendale may abate the illegal condition(s) and recover costs and administrative fees as an assessment to the owner and a lien on the property pursuant to this chapter in the event of a material breach of the voluntary correction agreement;
7. The costs and administrative fees to be paid and by whom;
8. Permission by the owner and any lessee or other person entitled to possess, use, or occupy the property with an expectation of privacy for the city to enter upon

the subject property at any reasonable times until the illegal conditions are corrected; and

9. An acknowledgment.

C. The officer may, in his or her sole discretion, extend deadlines for correction if the owner, or another responsible person, has been diligent and made substantial progress but has been unavoidably delayed or has otherwise demonstrated that the required corrective actions will be completed within a reasonable period.

D. The officer may determine that a material breach of a voluntary correction agreement has occurred, and may further determine what shall be done to correct the illegal conditions that were the subject of the voluntary correction agreement. The officer shall provide notice of such a determination in the same fashion as notice of decisions of the board, and such determinations shall function as the equivalent of a decision of the board in any further proceedings. A party to the voluntary correction agreement may appeal such a determination to the city council by filing a written notice of appeal with the city clerk-treasurer for review according to the procedures and standards applicable to appeals of decisions of the board.

#### **8.45.400 Board hearing to review notice and order.**

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A. The board shall be comprised of five individuals appointed by the city council who represent different aspects of the public as a whole, including local residents, the building industry, the health community, the business community, and the residential rental community. The members shall be appointed to three-year term except that initial appointments to the board shall be for staggered terms of either one, two, or three years to optimize the balance of experience among members of the board. The board may adopt and publish such rules of procedure as are necessary or convenient to carry out and effectuate the purposes and provisions of this chapter and Chapter 35.80 RCW. Three members of the board shall constitute a quorum for the transaction of business. Except as otherwise specified by law, a majority vote of the board members present at a meeting shall be required and shall be sufficient to transact any business before the board. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the board. At its first meeting in October each year, the board shall elect a chair and vice-chair from among its members.

B. Notwithstanding any other provision of this chapter to the contrary the board shall also comprise the city's duly constituted board of adjustment, which shall be authorized to act as the board for all purposes outlined in this chapter.

C. Unless, prior to the time fixed in the notice and order for a hearing before the board to review the notice and order, the property owner has entered into a voluntary correction agreement, or city staff determines that the illegal conditions have been corrected, the board shall hold a hearing to review the notice and order and to determine the immediate disposition of any illegal conditions existing at the subject property. The hearing will be canceled if the officer approves the completed corrective action at least forty-eight hours before the scheduled hearing, and the officer shall

provide notice of the satisfactory correction of the illegal conditions to the owner, complainants, and other interested persons, including the county auditor's office in cases in which a notice of the enforcement action has been previously filed.

D. The board shall conduct a hearing pursuant to its adopted rules. The officer or his/her designee, the owner, and other parties entitled to be served with the notice and order may participate as parties in the hearing and each party may call witnesses. Any complainant or person affected by the illegal conditions may appear and present evidence. The city shall have the burden of demonstrating by a preponderance of evidence that the subject property is a nuisance as defined in this chapter or otherwise unfit for human habitation or other uses and that the required corrective action is reasonable as stated in the notice and order. The officer's determination of that a subject property is a nuisance or is unfit for human habitation and order to correct illegal conditions shall be accorded substantial weight. In the event of a tie vote on a decision, the matter shall be referred on an expedited basis to the city of Goldendale city council for a new hearing and decision within thirty days.

E. If the owner or other persons with interest of record fail to appear at the scheduled hearing, the board may confirm the notice and order by finding that the subject property is a nuisance and/or is unfit for human habitation or other uses as determined by the officer. The board may further authorize the city to assess costs and administrative fees according to the provisions of this chapter.

F. If, after considering evidence and argument submitted by the officer, the owner, the complainant(s), and other interested parties, the board determines that the subject property is a nuisance and/or unfit for human habitation or other use, it shall issue a summary of decision according to the provisions of this section. The summary of decision shall state:

1. Findings of fact and conclusions in support of such decision confirming the notice and order;
2. Either:
  - a. That the compliance deadline under the notice and order was reasonable and has passed without satisfactory correction of the illegal conditions, or
  - b. That the compliance deadline under the notice and order should be extended until a date certain by which time the illegal conditions must be corrected;
3. The city's costs and administrative fees which, as of the date of the hearing, have been incurred as a consequence of the illegal conditions, and that such costs and fees shall be charged to the owner and shall be specially assessed and shall constitute a lien against the real property if they are not paid timely;
4. That if the owner or party in interest, following exhaustion of his/her rights to appeal, fails to comply with the notice and order as confirmed by the board, the city

may, directly or by a private contractor, correct the illegal conditions, and that the costs incurred by the city for such correction, including administrative fees as authorized by this chapter shall be charged to the owner and shall be specially assessed and shall constitute a lien against the real property if they are not paid timely.

G. The summary of decision shall state that the owner is entitled to appeal the board's decision to the city council within thirty days and, unless he or she does appeal or correct the illegal conditions, the city shall have the power, without further notice or proceedings, to vacate and secure the subject property and to do any act required of the owner in the notice and order, and to charge costs and administrative fees incurred to correct the illegal conditions to the owner and assess them against the property.

H. The officer shall serve the owner and other parties entitled to be served with the notice and order, a copy of the summary of the board's decision by certified mail, within five working days following the hearing, and shall post the summary of decision at the subject property.

I. If no appeal is filed, a copy of the summary of decision shall be filed with the auditor of Klickitat County and the notice and order shall be final.

#### **8.45.410 Enforcement.**

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A. The summary of decision may prescribe times other than times stated in the notice and order within which correction of illegal conditions shall be commenced or completed. If the required corrective action is not commenced or completed within the prescribed time, or if no time is prescribed within the time for appeal, the officer may, after the period for appeal has expired, cause the illegal conditions to be corrected. If satisfactory progress has been made and sufficient evidence is presented that the illegal conditions will be corrected within a reasonable time, the officer or the board may extend the time for completion of the work. If satisfactory or substantial progress has not been made, the officer may take reasonable steps to correct the illegal conditions promptly. The officer shall let bids for any work to correct illegal conditions in accordance with this chapter.

B. If other action ordered by the board is not taken within the time prescribed, the officer may, after the period for appeal has expired, cause the illegal conditions to be corrected by the city, either directly or by a private contractor.

C. If the officer deems it necessary to have any building on the subject property secured as an interim measure for the protection of the public health, safety, or welfare before illegal conditions are corrected, he/she may so order. If the owner is unable or unwilling to secure such building within forty-eight hours, the officer may order the building secured by the city.

D. If the owner is unable to comply with the notice and order as confirmed by the board within the compliance deadline, and the time for appeals to the city council or petition to the court has passed, the owner may, for good and sufficient cause beyond

his/her control, request in writing an extension of time. The board or the city council may grant a reasonable extension of time after a finding that the delay was beyond the control of the owners. There shall be no appeal or petition from the board or the city council's ruling on an extension of time.

#### **8.45.500 Appeal of board decision.**

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The owner or any party in interest may, within thirty days from the date of service and posting of the summary of the board's decision, or in the case of a voluntary correction agreement the officer's determination of material breach, file an appeal by filing a written notice of appeal with the city clerk-treasurer setting out the reasons he or she believes the board's confirmation of the notice and order or the officer's determination of material breach to be erroneous. The notice of appeal must be accompanied by a one hundred dollar non-refundable appeal fee.

The appeal decision-maker shall conduct an appeal hearing not less than ten nor more than thirty days from the date of said appeal or referral. Notice of the time and place of the hearing shall be made in accord with Section 5.45.510 GMC. The matter of the appeal will be scheduled for public hearing before the appeal decision-maker so as to allow ten days' notice of the hearing to the appellant and all interested parties and to permit final decision thereon to be made within sixty days after the filing of the appeal. The filing of the notice of appeal shall stay the notice and order as confirmed by the board or the officer's determination of material breach, except so much thereof as requires temporary measures, such as securing of a building to minimize any emergent danger to the public health or safety.

#### **8.45.510 Hearings before the appeal decision-maker.**

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A. Upon timely appeal, the appeal decision-maker shall review the proceedings and decisions of the board, or in the case of a voluntary correction agreement the officer's, determination of material breach, and determine whether to affirm, modify or vacate said decisions.

B. The appeal decision-maker's review shall be on the record, not de novo. In the absence of good cause, the appeal decision-maker will not accept new evidence or evidence not made available to the board. Upon the public hearing of the appeal, the appeal decision-maker shall consider the file of the proceedings before the board or the officer and such other evidence as may be presented.

C. The appeal decision-maker shall review the record and such supplemental evidence as is permitted under subsection B of this section. The appeal decision-maker may grant relief only if the party seeking relief has carried the burden of establishing that one of the standards set forth in subsections (C)(1) through (C)(4) of this section has been met. The standards are based on but not limited to:

1. The board or officer failed to follow a prescribed process, unless the error was harmless;
2. The board or officer's decision is an erroneous interpretation of the law;

3. The board or officer's decision is not supported by evidence that is substantial when viewed in light of the whole record before the appeal decision-maker; or

4. The board or officer's decision is outside the authority or jurisdiction of the board or officer.

D. The appeal decision-maker may recognize and give appropriate effect to special and extenuating circumstances which, in order to do substantial justice, warrant the exercise of discretion to adjust the timeframes, standards, and other provisions of this chapter.

E. After the hearing, the appeal decision-maker may affirm, modify or vacate the decision of the board or the officer, or may continue the matter for further deliberation or presentation of additional evidence.

F. An electronic or taped record of the proceedings shall be made and kept for at least three years or until the matter is final, whichever is longer.

G. The appeal decision-maker shall cause its findings of fact and order to be made in writing; provided that the appeal decision-maker may adopt the findings and decision of the board or officer, or so much thereof as supports its decision. In addition, such order shall state that the owner has the right to petition the superior court of Klickitat County for appropriate relief after the order becomes final.

H. The appeal decision-maker's findings and order shall be served upon the same persons and posted in the same manner as a notice and order of the officer.

I. Any action taken by the appeal decision-maker shall be final sixty days after the filing of a notice of appeal unless continued with consent of the owner or occupant.

J. In the event that the appeal decision-maker fails to reach a decision or continues the hearing beyond sixty days after the filing of an appeal, the officer or board's order and finding shall be that of the appeal decision-maker's, and shall be final and subject to petition to the superior court; provided that any continuance at the request or with the consent of any owner or occupant shall suspend, for the length of the continuance, the running of the sixty days allowed for final decision.

K. The appeal decision-maker's order shall be enforced in the same manner as an order of the board.

L. A transcript of the appeal hearing before the appeal decision-maker shall be made available to the owner or other party in interest upon demand at the requestor's expense.

M. The findings, determinations and orders of the appeal decision-maker on appeals of determinations and orders issued by the board shall be reported in the same manner and shall bear the same legal consequences as if issued by the board, and shall be

subject to review only in the manner and to the extent provided in GMC Section 8.45.520.

**8.45.520 Appeal to superior court.**

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Any interested person affected by an order issued by the appeal decision-maker pursuant to Sections 8.45.500 and 8.45.510 GMC may petition to the Klickitat County Superior Court as otherwise provided for by applicable law.

**8.45.550 Administrative fees.**

In addition to monetary penalties and costs, the following administrative fees shall be assessed and collected in the same manner for such dwellings, buildings, structures, or premises that are determined to be nuisances or unfit for human habitation or other uses:

A. Where abatement is completed and approved by the officer prior to the board hearing the administrative fee shall be two hundred dollars, except that these fees shall not be required for a first offense if abatement is complete forty-eight hours prior to the board hearing described in the notice and order.

B. Where abatement is accomplished less than forty-eight hours prior to the board hearing described in the notice and order, the administrative fee shall be three hundred dollars.

C. Where abatement is accomplished following breach of a voluntary correction agreement, the administrative fee shall be six hundred dollars.

D. Where the board finds that no or minimal action has been taken to comply with the notice and order as of the date of the board hearing, the administrative fee shall be one thousand dollars.

**8.45.560 Abatement.**

Bids for correction of illegal conditions shall be let only to a licensed contractor. The contract documents shall provide that the value of the materials and other salvage of the property shall be credited against the costs of the corrective action. The contract documents may require bidders to estimate the salvage value of the property and, by claiming the salvage, reduce the amount of his/her bid accordingly. The contract price fixed by acceptance of such a bid shall not be adjusted to reflect the actual salvage value. Such bids may be let prior to the time for compliance or appeal, but shall not be binding or accepted until the order for corrective action is final. The Mayor, or his designee shall have the authority to sign the contract on behalf of the city, not to exceed five thousand dollars

**8.45.600 Recovery of administrative fees and costs..**

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A. Payment of Administrative Fees and Costs. Administrative fees and costs assessed pursuant to this chapter must be paid in full to the city within 30 days from the date of service of a final decision of the city. In the event payment is not made within 30

days the city may assess these sums against the property that is the subject of the enforcement action. The lien shall incorporate all outstanding administrative fees or cost into an abatement lien, including any costs incurred by the city in abating the violation.

B. Recovery of Costs. The city shall bill its costs, including incidental expenses, of pursuing code compliance and/or abating a violation or nuisance to the owner of the property and/or against the subject property. Such costs become due and payable 30 days after the date of the final decision of the city under this chapter that assesses monetary penalties. Additional costs may be assessed in the event the city abates the violation. The term "incidental expenses" shall include, but not be limited to, personnel costs, both direct and indirect, including attorneys' fees incurred by the city; costs incurred in documenting the violation; the actual expenses and costs to the city in the preparation of notices, specifications and contracts, and in inspecting the work; hauling, storage and disposal expenses; the costs of any required printing and mailing; and interest. The city administrator may in his or her discretion waive in whole or in part the assessment of any costs upon a showing that abatement has occurred or is no longer necessary or that the costs would cause a significant financial hardship for the responsible party. Any challenge to the amount of the abatement costs must be made within 14 days of issuance of the bill and shall be heard by the city administrator in an informal hearing. The city administrator shall make a written determination as to whether or not the city's costs were accurate and necessary for accomplishing the abatement.

C. Assessment Lien. If penalties or costs assessed against a property are not paid within 30 days, the city clerk shall certify to the county treasurer the confirmed amount for assessment on the tax rolls. The county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates as provided in RCW 84.56.020, as now enacted or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the current expense fund of the city. The lien shall be of equal rank with the state, county and municipal taxes. The validity of any assessment made under the provisions of this chapter shall not be contested in any action or proceeding unless the same is commenced within 15 calendar days after the assessment is placed upon the assessment roll. The city attorney may also file a lien for such costs against the real property.

E. Continuing Duty to Abate Violations. Payment of a monetary penalty or costs pursuant to this chapter does not relieve the person responsible for the violation of the duty to correct or abate the violation. Additional notices of violation may be issues and/or criminal charges filed for continuing failure to correct or abate a violation.

**Section 2:** This Ordinance shall become effective 5 days after passage and publication as provided for by law.

APPROVED:

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MICHAEL A CANON, MAYOR

ATTEST:

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CONNIE BYERS, CLERK-TREASURER