

ORDINANCE 2023-1081
AN ORDINANCE OF THE CITY OF WAITSBURG, WASHINGTON, AMENDING
SECTIONS OF CHAPTER 1 OF TITLE 7 OF THE WAITSBURG MUNICIPAL CODE
RELATING TO THE CITY NUISANCE CODE

WHEREAS, Staff have a desire to update how nuisance abatement is addressed; and

WHEREAS, the Waitsburg City Council finds and declares that certain updates to the City’s municipal code are in the public’s best interest;

NOW THEREFORE, the City Council of the City of Waitsburg do ordain as follows:

Chapter 1 of Title 7 of the Waitsburg Municipal Code shall read as follows:

TITLE 7 - OFFENSES

Chapter 1 - Nuisances

7.01.100. Shared Cleanup.

A. Purpose. The Council finds and determines that nuisances, as defined herein: tend to annoy, injure or endanger the comfort, repose, health or safety of others; offend decency; and in other ways render other persons insecure in life, or in the use of their property. The Council further finds that unabated nuisances are detrimental to the community at large, whereas, enforcement actions and the abatement of nuisances benefits the entire community and fall within the Council’s fundamental powers and authority to pursue the general safety and welfare of its citizens. Expenses incurred in abatement efforts are expended to fulfill the City’s fundamental purposes of government and bear no donative intent.

B. Procedure. Following a determination under the procedures of Title 7 (or other applicable law), that conditions on private property constitute a nuisance under Title 7 (or other applicable law), and when the property owner is financially unable to abate the nuisance to the satisfaction of the City, the City may enter into a written agreement, at the City’s discretion, with the property owner to share the abatement costs. The written agreement shall include the following provisions:

1. The property owner shall allow the City (or its agent(s)) to enter the property on an agreed upon date without harassment or interference.
2. The property owner shall share the cost of the abatement by paying no less than 50% of the costs (usually paid in advance) based on an estimate provided by the City’s agent hired to do the work. The City’s portion of the cost may not exceed \$2,500.
3. If the property owner fails to pay the City for the work provided, or refuses to agree to the work, the City is authorized, at its discretion, to proceed with utility disconnection as outlined in WMC 7.01.080.
4. Should the utilities continue to remain disconnected, the City may proceed with the filing of a lien on the property as allowed under WMC 7.01.070 (E) (2).

Passed by the Waitsburg City Council this 15th day of March 2023.

Approved:

Attest:

Martin Dunn, Mayor

Randy Hinchliffe, City Clerk

Approved as to form:

Jared Hawkins, City Attorney