

Resolution No. 2003-27

[Council meeting minutes of Nov 17 2003](#)

RESOLUTION NO. 2003-27

A RESOLUTION of the City Council of the City of Lakewood, Washington, confirming the assessment of charges against the owner of 14909 West Thorne Lane SW for abatement of a public nuisance and dangerous buildings and authorizing said charges to be certified as a special assessment against and lien upon said property

WHEREAS, in connection with the incorporation of the City of Lakewood, Washington, the City Council adopted a number of health and safety codes and regulations, including regulations providing for fire, building, housing, litter, and other regulations to address adverse and negative impacts on citizens and property in the City; and,

WHEREAS, generally, code enforcement actions achieve a high degree of success through communication with property owners and dissemination of information about the health and safety codes of the City; however, enforcement in a small number of cases can require progressively more aggressive warning letters, notices to abate, and notices of infractions filed with the Municipal Court in order to achieve positive responses from persons responsible for properties that cause code enforcement concern; and,

WHEREAS, notwithstanding the efforts described above, the property at 14909 West Throne Lane SW suffered neglect in that the person or persons responsible for the property could not or would not avail themselves of the opportunity to quickly and cooperatively remove nuisance conditions, so that in order to ensure abatement of a public nuisance, and to protect the citizens and property of the City of Lakewood, it was necessary for the City to expend public funds for such public nuisance abatement; and,

WHEREAS, it was the belief of the City's Code Enforcement and Building Divisions that the owner of this property, Thomas J. Moore, has died, leaving no apparent party responsible for the maintenance and care of the property; and,

WHEREAS, under the circumstances it was appropriate to expend \$516.80 to abate nuisances and dangerous buildings located at 14909 West Thorne Lane SW to protect the public health, safety and welfare; and

WHEREAS, abatement of public nuisances and procedures therefore are specifically enumerated and authorized under LMC 15.32, under the Uniform Code for the Abatement of Dangerous Buildings, under RCW 35.80.030, and under RCW 7.48; and,

WHEREAS, following said abatement, as authorized in pertinent codes and statutes, it is appropriate also for the City of Lakewood to seek recovery of the fees and charges expended in abating said nuisances, thereby recovering public funds used in this manner; and,

WHEREAS, enforcement and abatement measures taken regarding said property, and a description of the conditions contained upon the property are set forth in the Report and Affidavit of Community Development Director After Abatement of Public Nuisance, identified as Exhibit "A" submitted with the Request for Council Action (Agenda Bill) for this Resolution on file with the Office of the City Clerk.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON HEREBY RESOLVES, as Follows:

Section 1. That in protecting the public health, safety and welfare, it was necessary to abate nuisance conditions and dangerous buildings upon property located at 14909 West Thorne Lane SW within the City of Lakewood, Washington, owned by Thomas J. Moore and/or the Moore Family Living Trust. It is further appropriate to certify and confirm the assessment of charges for this abatement against the property owner, recording charges in the amount \$516.80 on the county tax assessment rolls, and thereafter creating a special assessment against and a lien upon the property for this amount. Further, upon the passage of this resolution and thirty (30) days, as allowed under the Uniform Code for the Abatement of Dangerous Buildings, the special assessment shall bear interest at the rate of seven (7) percent per year from and after that date.

Section 2. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 17th day of November, 2003.

CITY OF LAKEWOOD

Attest:

Bill Harrison, Mayor

Alice M. Bush, CMC, City Clerk

Approved as to Form:

Heidi Ann Wachter, City Attorney

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