

# Resolution No. 2007-22

[City Council meeting minutes of Dec 3 2007](#)

## RESOLUTION NO. 2007-22

A RESOLUTION of the City Council of the City of Lakewood, Washington, confirming the assessment of charges in the amount of \$2,663.23 as a special assessment against property located at 8611 Veterans Drive SW for abatement of a public nuisance and dangerous buildings and authorizing said charges to be certified for collection in the same manner as for property taxes

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

WHEREAS, an emergency existed in that property located at 8611 Veterans Drive SW was open to trespass, that the premises and interior of the building at this location contained junk and trash, and that a portion of roof on this building had deteriorated and fallen; and,

WHEREAS, the unsafe condition of this building and property was further amplified by the fact that people were entering and remaining within the building and evidence was found to show that methamphetamine was being illegally manufactured in the building and upon the premises of this property; and,

WHEREAS, abatement of public nuisances and the procedures therefore are specifically enumerated and authorized under Lakewood Municipal Code Chapter 15.32, under the Uniform Code for the Abatement of Dangerous Buildings, and under Revised Code of Washington Chapters 35.80 and 7.48; and,

WHEREAS, the procedures contained in the relevant codes were followed in that notices regarding this action were posted upon the property, letters regarding this matter were sent to the property owner via mail, and a public hearing regarding this matter was duly set, published and held before the City Council on November 5, 2007; 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.

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 8611 Veterans Drive SW within the City of Lakewood, Washington. An itemized statement of funds expended, and a description of the conditions contained upon the property are set forth in the Report of the Building Official, attached hereto, marked as ?Exhibit A? to this Resolution and incorporated herein by this reference.

Section 2. It is further appropriate to certify and confirm the assessment of charges for this abatement against the property, recording charges in the amount \$2,663.23 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 applicable laws, the special assessment shall bear interest at the rate of twelve (12) percent per year from and after that date.

Section 3. That this Resolution shall be in full force and effect upon passage and signatures hereon.

PASSED by the City Council this 3rd day of December, 2007.

CITY OF LAKEWOOD

Attest:

\_\_\_\_\_  
Dr. Claudia B. Thomas, Mayor

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Alice M. Bush, MMC, City Clerk

Approved as to Form:

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Michael McKenzie, Acting City Attorney

**?EXHIBIT A?**

**REPORT OF THE BUILDING OFFICIAL**

**ON ABATEMENT OF PUBLIC NUISANCE AND DANGEROUS BUILDINGS**

DATE: November 27, 2007

PROPERTY OWNER: Randall T. Kuboi

PROPERTY ADDRESS: 8611 Veteran?s Drive SW, Lakewood, Washington

TAX DESCRIPTION: Section 09 Township 19 Range 02 Quarter 41 LAKE CITY: LAKE CITY L 5 & 6 & E 12.5 FT OF 7 B 77

PARCEL NO.: 5005006790

TOTAL AMOUNT EXPENDED ON ABATEMENT: \$2,663.23

### **REPORT OF THE BUILDING OFFICIAL**

In this matter Mark Nelson, the Building Official for the City of Lakewood, cites the following facts and procedural steps relevant to the abatement performed on the above-identified property, as follows:

1. City of Lakewood Code Enforcement Inspections between March and July of 2007 showed that the above identified property contained a vacant and unsecured house. The premises contained accumulations of junk, trash, scrap materials and discarded appliances. Decking attached to the house was missing boards. There was a large hole in the roof of the house.
2. Evidence of illegal drug activity existed at this location. Items used in the manufacture of methamphetamine were found in the yard.
3. Although the house was not habitable, it was reported to the City that people were present at various times within the house.
4. On May 24, 2007, the property was posted as dangerous, a public nuisance and containing dangerous buildings. A copy of the posting was mailed to the owner of the house via certified mail. No appeal was taken from this notice.
5. Additional efforts were taken to attempt to contact the property owner.
6. In August of 2007, bids were obtained from contractors to perform an abatement. In September of 2007 a contractor was hired. The contractor secured the buildings from unlawful entry and removed the nuisance conditions from the yard of this house.
7. The Lakewood City Council duly set and held a public hearing regarding this abatement on November 5, 2007. The public hearing notice was published in the Tacoma News Tribune, posted upon the property and mailed to the property owner.
8. In total the City expended \$2,663.23 in this matter. Titan Enterprises was paid \$2,556.80 for work, \$64.43 was paid in publishing notice, and \$42.00 was expended in filing fees.

Signed this 3rd of December, 2007.

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Mark Nelson, Building Official

City of Lakewood