



PLANNING & DEVELOPMENT DEPARTMENT
CODE ENFORCEMENT
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Types of Nuisances:

Aesthetic nuisances

The following nuisances are aesthetic in nature and can negatively impact neighborhood property values and foster blight. The following actions and/or conditions shall be a public nuisance when located in any front, side or rear yard or vacant lot.

- A. Any junk, trash or litter.
- B. Salvage materials or lumber not neatly stacked.
- C. Any broken, soiled or discarded furniture, household equipment or furnishings.
- D. Any junk vehicle, vehicle parts or other articles of personal property which are stored, discarded or left in a state of partial construction or repair.
- E. Any accumulation, stack or pile of building, landscaping or construction materials which are exposed to the elements or are in disarray and which are not directly associated with a project on the premises for which a current building permit has been obtained; or, with respect to a project which does not require a permit, that is in progress or which is scheduled to begin within ten (10) business days. Construction materials include but are not limited to metal, wood, wire, drywall, electrical components, and any supplies, equipment or other items utilized for painting, landscaping, logging, roofing, masonry or plumbing.
- F. Any shopping carts, except where such shopping carts are owned and/or utilized for their designated purpose upon the underlying premises.

NUISANCE VIOLATIONS

- G. Exceptions. The nuisances enumerated in subparagraphs A through D shall not apply to items or materials when:
 1. Wholly enclosed within a building; or
 2. Located in a rear yard and screened from adjacent properties and the public right of way by a five-foot opaque fence or by a vegetative barrier that is between five feet and eight feet in height and provides a visual barrier equivalent to an opaque fence. Corner lots which have no rear yard may establish a screening area which qualifies for this exception in a side yard.

Health and safety nuisances

The following actions or conditions have a direct impact on public health and are declared to be public nuisances.

- A. Vegetation. The following actions and/or conditions shall be public nuisances:
 1. Any dead, dying or other hazardous tree which is in danger of falling and endangers the traveling public on a street, alley, sidewalk or other public right of way. The word "tree" shall have the same meaning as is provided in ECDC 18.45.040.
 2. Any violation of the noxious weed provisions of Chapter 6.30 ECC and/or any uncultivated berry vines and Class B or Class C noxious weeds (as classified by the Washington State Noxious Weed Control Board) which exceed an average of three feet in height and any portion of which are located within five feet of an adjacent property.
- B. Attractive nuisances. Any attractive nuisances dangerous to children are declared to be public nuisances, including but not limited to the

following items when located outside of a fully enclosed building:

1. Abandoned, broken or neglected equipment;
 2. Jagged, sharp or otherwise potentially dangerous machinery;
 3. Household or commercial appliances, including but not limited to refrigerators, freezers, washers, dryers, dishwashers, ovens, hot water tanks, or toilets;
 4. Unpermitted excavations; and or
 5. Unprotected or open wells or shafts.
- C. Breeding grounds for vermin or insects. The following actions and/or conditions are public nuisances:
1. Any accumulations of perishable matter, including but not limited to food stuffs, that may harbor or attract the infestation of mold, insects and/or vermin, provided, however that this provision shall not apply to compost heaps or facilities which are maintained in accordance with standards recommended by the US Composting Council.
 2. Any stagnant, pooled water in which mosquitoes, flies or other insects may reproduce.
 3. Any stacks or accumulations of newspapers, cardboard, or other paper, cloth, plastic, or rubber left or stored in a manner which poses a substantial risk of combustion, a threat of fire, or that may harbor, serve as an attraction for or promote the infestation of mold, insects and/or vermin.

D. Hazardous conditions, substances or materials. The following conditions or actions are declared to be public nuisances.

1. Any structure or other constructed object not governed by the International Building Code that is decayed, damaged, or in disrepair and poses a substantial threat of collapse, structural failure or falling.
2. Any unstable embankment, fill or other accumulation of rock and/or soil which poses a substantial threat of collapse.
3. Any storage or keeping of any toxic, flammable, or caustic substance or material except in compliance with applicable requirements of state or federal law.
4. Any unpermitted obstruction of any street, alley, crossing or sidewalk, and any unpermitted excavation therein or thereunder.

6.20.043 Protective coverings

Except as otherwise expressly provided by applicable city ordinance or a valid regulatory permit, any condition enumerated in ECC 6.20.040 shall constitute a public nuisance irrespective of whether such condition is covered in whole or in part by a tarpaulin, vapor barrier, canvas or plastic sheeting, or other temporary covering.

Why does the City regulate nuisance violations?

To protect and serve the public health, safety and welfare by deterring and preventing conditions which constitute a public nuisance, and providing for the prompt, efficient and permanent abatement of public nuisances.

If you have nuisance items:

- Dispose of all exposed nuisance items at an approved dump site or;
- Store nuisance items inside enclosed buildings such as sheds* or garages.
- Store nuisance items in the rear yard screened from adjacent properties by a five-foot opaque fence.

*Please note – Except as otherwise expressly provided by applicable city ordinance or a valid regulatory permit, any condition enumerated in ECDC 6.20.040 shall constitute a public nuisance irrespective of whether such condition is covered in whole or in part by a tarpaulin, vapor barrier, canvas or plastic sheeting, or other temporary covering.

To report nuisance items:

- Visit the Code Enforcement page on the City website located under the Planning & Development Department.
- Review the “Code Enforcement: Frequently Asked Questions” handout.
- Complete a “Request for Code Enforcement Action” form. This form can be requested by phone, email, in person or completed on the City website.