



Appendix J
Woodinville Municipal Code Chapter 1.07

WMC Chapter 1.07 CIVIL VIOLATIONS

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1.07.010 Definitions.

Definitions are set forth in Chapter [1.05](#) WMC. (Ord. 350 § 4, 2003)

1.07.020 Purpose.

The purpose of this chapter is to preserve the public health and the character and safety of the City's neighborhoods, rendering certain conduct unlawful. The violations set forth in this chapter may be enforced using any of the means set forth in this title. (Ord. 350 § 4, 2003)

1.07.030 Violations.

- (1) It is unlawful to violate any applicable provision of the Woodinville Municipal Code.
- (2) It is unlawful for any person to initiate, maintain or cause to be initiated or maintained the use of any structure, land or property within the City without first obtaining any and all permits or authorizations required for its use by the applicable provisions of the Woodinville Municipal Code and/or the City's Shoreline Master Program.
- (3) It is unlawful for any person to use, construct, erect, enlarge, alter, repair, move, improve, convert, equip, occupy, maintain, locate, demolish or cause to be used, constructed, located, or demolished, any structure, land or property within the City in any manner that is not permitted by the terms of any permit or authorization issued pursuant to the applicable provisions of the Woodinville Municipal Code and/or the City's Shoreline Master Program.
- (4) It is unlawful to:

- (a) Remove or deface any sign, notice, complaint or order required by or posted in accordance with this chapter;
- (b) Materially misrepresent any fact or information in any application, plan or other document submitted to obtain any permit or other authorization from the City;
- (c) Fail to comply with any of the requirements of a stop work order or emergency order issued under this chapter;

(d) Fail to conform to the terms of a shoreline substantial development permit, conditional use permit, variance or other permit issued pursuant to the City's Shoreline Master Program, or undertake a development or use on shorelines of the State without first obtaining the necessary shoreline permits or approvals, or fail to comply with a cease and desist order issued pursuant to the City's Shoreline Master Program.

(5) Subdivision Violations. Any person or any agent of any person who violates any provision of Chapter 58.17 RCW or WMC Title 20, which relates to the sale, offer for sale, lease, or transfer of any lot, tract, or parcel of land, shall be subject to prosecution under this chapter for a gross misdemeanor. Each sale, offer for sale, lease or transfer of each separate lot, tract, or parcel of land in violation of any provision of Chapter 58.17 RCW or WMC Title 20 shall be deemed a separate and distinct offense.

(6) Shoreline Master Program Violations.

(a) Pursuant to RCW 90.58.210, the City may impose penalties for Shoreline Master Program violations in an amount not to exceed \$1,000 for each violation. Each day of violation shall constitute a separate violation.

(b) Any person who, through an act of commission or omission, aids or abets in a violation shall be considered to have committed a violation for the purposes of the civil penalty.

(c) When a penalty is imposed jointly by the Department of Ecology and the City, it may be mitigated only upon such terms as both the Department and the City agree.

(7) It is unlawful for any person to discharge or allow to be discharged any contaminants into surface and storm water or ground water. Contaminants include, but are not limited to, the following:

(a) Trash or debris;

(b) Construction materials;

(c) Petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil;

(d) Antifreeze and other automotive products;

(e) Metals in either particulate or dissolved form;

(f) Flammable or explosive materials;

(g) Radioactive material;

(h) Batteries;

(i) Acids, alkalis, or bases;

- (j) Paints, stains, resins, lacquers, or varnishes;
- (k) Degreasers and/or solvents;
- (l) Drain cleaners;
- (m) Pesticides, herbicides, or fertilizers;
- (n) Steam-cleaning wastes;
- (o) Soaps, detergents, or ammonia;
- (p) Swimming pool backwash;
- (q) Chlorine, bromine, and other disinfectants;
- (r) Heated water;
- (s) Domestic animal wastes;
- (t) Sewage;
- (u) Recreational vehicle waste;
- (v) Animal carcasses;
- (w) Food wastes;
- (x) Bark and other fibrous materials;
- (y) Collected lawn clippings, leaves, or branches;
- (z) Silt, sediment, or gravel;
- (aa) Chemicals not normally found in uncontaminated water;
- (bb) Any other hazardous material or waste not listed above.

(8) It is unlawful to:

- (a) Fail to maintain Erosion and Sedimentation Control (ESC) measures in a proper manner;
- (b) Park any vehicle in the front yard, side yard or rear yard areas, except upon legally established driveways. (Ord. 350 § 4, 2003)

1.07.040 Nuisance section.

The following activities and conditions are unlawful:

(1) Owning, leasing, renting, occupying or having charge or possession of any property in the city, including vacant lots, except as may be allowed by any other city ordinance upon which exists any of the following:

(a) Junk, trash, garbage, litter, discarded lumber and/or salvage materials in front yard, side yard, rear yard or vacant lot, which is visible from the public right-of-way or other private property;

(b) Attractive nuisances dangerous to children including but not limited to the following items when located in any front yard, side yard, rear yard or vacant lot:

(i) Abandoned, broken or neglected equipment;

(ii) Potentially dangerous machinery;

(iii) Refrigerators and freezers and other appliances;

(iv) Excavations, wells or shafts that are not properly fenced or covered;

(c) Broken or discarded furniture or household equipment, in any front yard, side yard or vacant lot, which is visible from the public right-of-way or other private property;

(d) Graffiti on the exterior of any building, fence or other structure in any front yard, side yard, rear yard or on any object in a vacant lot, which is visible from the public right-of-way or other private property;

(e) Vehicle parts or other articles of personal property which are discarded or left in a state of disrepair in any front yard, side yard, rear yard or vacant lot, which is visible from the public right-of-way or other private property;

(f) Distribute or possess for the purpose of sale, exhibition or display, in any place of business from which minors are not excluded, any devices, contrivances, instruments, or paraphernalia which are primarily designed for or intended to be used for smoking, ingestion, or consumption of marijuana, hashish, PCP, or any controlled substance other than prescription drugs and devices. (Ord. 350 § 4, 2003)

1.07.050 Severability.

Should any section, subsection, paragraph, sentence, definition, clause or phrase of this title be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portion of this title. (Ord. 350 § 4, 2003)