ORDINANCE NO. 26-1003

An ORDINANCE of the City Council of the City of SeaTac, Washington, amending development regulations in the SeaTac Municipal Code related to code compliance by repealing Chapter 1.15, adding Title 10 and Chapter 10.05, amending sections 4.05.110, 5.05.200, 7.15.040, 7.25.055, 7.25.130, 7.40.110, 11.05.160, 11.10.300, 12.10.200, 12.12.080, 13.100.060, 13.150.160, 13.150.270, 13.180.050, 13.190.120, 13.210.010, 13.270.080, 15.125.005, 15.700.310, 18.10.020, and repealing section 11.05.900; establishing severability; and establishing an effective date.

WHEREAS, in 1990 the City created a code compliance system for the benefit of the health, safety, and welfare of the general public, codified in SMC Chapter 1.15, Code Enforcement and multiple sections of the SeaTac Municipal Code; and

WHEREAS, these existing code compliance regulations have been amended several times and as a result are now difficult to read, contain contradictory language, and do not support a clear, effective, and efficient code compliance program; and

WHEREAS, the City desires to clarify, streamline, and improve the City's Code Compliance Program under a new Title in the SeaTac Municipal Code, Title 10 Code Compliance; and,

WHEREAS, the City's SEPA Official issued a determination that this Ordinance was categorically exempt under WAC 197-11-800(19)(a); and

WHEREAS, on January 8, 2026 the Public Safety and Justice Committee of the Council recommended approval of the proposed code amendments to Council; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON, DO ORDAIN as follows:

Section 1. The SeaTac Municipal Code Chapter 1.15 Code Enforcement is hereby repealed.

Section 2. The SeaTac Municipal Code Title 10, Code Compliance, is hereby added.

Section 3. The SeaTac Municipal Code Chapter 10.05 is hereby added, as set forth in Exhibit A.

Section 4. Subsections 4.05.110 (A and B) of the SeaTac Municipal Code is hereby amended to read as follows:

4.05.110 Enforcement.

A. A violation of this chapter ~~shall be a violation as defined by SMC 1.15.020 and~~ shall be subject to the ~~code enforcement~~ provisions of **Chapter ~~1.15~~** 10.05 SMC, Code ~~Enforcement~~ Compliance Procedures.

B. Powers and Duties of the Director.

1. The Director is authorized to enforce this chapter consistent with the provisions of **Chapter ~~1.15~~**10.05 SMC, Code ~~Enforcement~~ Compliance Regulations.

2. The Director shall attempt to settle by agreement any alleged violation or failure to comply with the provisions of this chapter; provided, that nothing herein shall create a right or entitlement of a landlord to settlement by agreement.

3. The Director is authorized to request records from landlord and the landlord shall allow the Director access to such records, as well as a complete roster of tenants' names and contact information, when requested, with at least five (5) business days' notice and at a mutually agreeable time, to investigate potential violations of the requirements of this chapter.

* * *

Section 5. Subsection 5.05.200(D) of the SeaTac Municipal Code is hereby amended to read as follows:

5.05.200 Violations, penalties and enforcement.

* * *

D. ~~It is a civil infraction for a~~ Any person ~~to~~ violate~~ing~~ any provision of this chapter~~, and such person may also be subject to the penalties including costs and assessments~~ may be subject to penalties and corrective actions prescribed in Chapter ~~1.15~~ 10.05 SMC. The penalties set forth herein are not exclusive. The City Manager or his/her designee may seek civil enforcement and remedies as allowed by law.

* * *

E. The City Attorney's Office shall have the discretion to file criminal charges when a person willfully or knowingly violates, by way of repeat violations, the provisions of this chapter. A criminal violation under this subsection is a misdemeanor punishable by a fine not to exceed one thousand dollars ($1,000) or imprisonment for a term not to exceed ninety (90) days, or both.

Section 6. Section 7.15.040 of the SeaTac Municipal Code is hereby amended to read as follows:

7.15.040 Enforcement.

The provisions of this chapter shall be enforced pursuant ~~to Ordinance No. 90-1048, codified in Chapter 1.15, as amended by Ordinance No. 90-1075, as both presently exist or as may subsequently be amended~~ Chapter 10.05 Code Compliance Procedures.

Section 7. Section 7.25.055 of the SeaTac Municipal Code is hereby amended to read as follows:

7.25.055 Enforcement.

In addition to nuisance abatement authorized in this chapter, the provisions of this article shall be enforced pursuant to **Chapter ~~1.15~~** 10.05 SMC and the requirements of RCW 46.55.240(3), as now or hereafter amended.

Section 8. Section 7.25.130 of the SeaTac Municipal Code is hereby amended to read as follows:

7.25.130 Enforcement.

The provisions of this article shall be enforced pursuant to **Chapter ~~1.15~~** 10.05 SMC.

Section 9. Section 7.40.110 of the SeaTac Municipal Code is hereby amended to read as follows:

7.40.110 Violation – Penalty.

A. Any person who violates any provision of this chapter, or the provisions of any procedures adopted hereunder, by any act of commission or omission, or who aids or abets any such violation, shall be subject to code enforcement action and a civil penalty as set forth in Chapter ~~1.15~~ 10.05 SMC. Each and every day, or portion thereof, during which any violation is committed or continued shall be deemed a separate and distinct violation of this chapter.

B. Nothing in this chapter shall be construed as limiting any administrative or judicial remedies that the City may have, at law or in equity, for enforcement of this chapter. Furthermore, violation of the terms of this chapter shall be grounds for revocation of the business license of any person violating the terms hereof.

Section 10. Section 11.05.160 of the SeaTac Municipal Code is hereby amended to read as follows:

11.05.160 Enforcement and Violations.

~~When King County provides engineering and administrative services for the City, pursuant to Interlocal Agreement, the County Road Engineer may exercise all of the powers and perform all of the duties vested by law or by resolution in the City Engineer or other officer or department charged with street administration and maintenance. In addition, t City Manager, City Police and the County Department of Public Safety are to enforce all provisions of this chapter and any rules and regulations promulgated thereunder. The City Manager is authorized to delegate enforcement authority to the Director of the Department of Public Works, the Code Enforcement Officer, and Director of the Department of Community and Economic Development, who shall enforce this chapter pursuant to **Chapter 1.15** SMC.~~ Any person or entity who violates or fails to comply with any requirement of this chapter shall be subject to code enforcement action pursuant to Chapter 10.05 SMC.

Section 11. Section 11.05.900 of the SeaTac Municipal Code is hereby repealed.

Section 12. Section 11.10.300 of the SeaTac Municipal Code is hereby amended to read as follows:

11.10.300 Violation – Penalty.

Any person or entity who violates any provision of this chapter~~, or the provisions of any procedures adopted hereunder, by any act of commission or omission, or who aids or abets any such violation,~~ shall be subject to code enforcement action and a civil penalty as set forth in **Chapter ~~1.15~~**10.05 SMC. ~~Each and every day, or portion thereof, during which any violation is committed or continued shall be deemed a separate and distinct violation of this chapter.~~

Section 13. Section 12.10.200 of the SeaTac Municipal Code is hereby amended to read as follows:

12.10.200 Enforcement.

All provisions of this chapter, now existing or as may subsequently be amended, any amendatory ordinances, any resolutions pertaining thereto, and any rules and regulations promulgated thereunder, shall be enforced pursuant to **Chapter ~~1.15~~**10.05 SMC, as now existing or as the same may subsequently be amended.

Section 14. Section 12.12.080 of the SeaTac Municipal Code is hereby amended to read as follows:

12.12.080 Violations and remedies.

A. The violation of or failure to comply with any of the provisions of this chapter is unlawful. The remedies and penalties provided in this section, whether civil or criminal, shall be cumulative and shall be in addition to any other remedy provided by law. ~~Authority to enforce provisions of this chapter is granted to the Public Works Director or his/her designee.~~

B. Abatement. If a violation of this chapter presents an imminent and material risk of danger to persons, property or the public health, safety, welfare, or the environment, the City may summarily and without prior notice take any lawful action necessary to abate the violation. The City may assess any costs incurred by the City against the person responsible for the violation. Notice of such abatement, including the reason for it, shall be mailed or given to the person responsible for the violation as soon as reasonably possible after the abatement. No right of action shall lie against the City or its agents, officers, or employees for actions reasonably taken to prevent or cure any such immediate risks.

C. The City may pursue any remedy available at law or in equity, including, but not limited to, the following:

1. Injunction, Mandamus or Order. The City may institute a civil action for an injunction, writ of mandamus or order with respect to a violation of this chapter.

2. Enforcement. Violations of this chapter shall be enforced and remedied in the manner provided by SMC ~~1.15.045 through 1.15.075~~10.05.

D. Monetary Penalties – IDDE. Any person violating any provision of this chapter is subject to the assessment of civil penalties pursuant to ~~this chapter~~ Chapter 10.05 SMC. ~~The monetary penalty for each violation shall be as follows:~~

~~1. For residential violations (residential parcels up to four (4) dwelling units, as defined in SMC Title 15), the monetary penalty is one hundred dollars ($100.00) per day per violation.~~

~~2. For all other violations, the penalty is one thousand dollars ($1,000) per day per violation.~~

~~3. For repeat or intentional violations, monetary penalties shall be doubled.~~

~~4. Payment of a monetary penalty does not relieve the person to whom the penalty was issued, or assessed against, of the duty to correct the violation or the cost of abating the violation~~

Section 15. Subsection 13.100.060(M) of the SeaTac Municipal Code is hereby amended to read as follows:

13.100.060 Permits

* * *

M. Suspension, Revocation, or Limitation. The building official may suspend, revoke, or limit any permit issued whenever:

1. The permit holder has committed a code violation in the course of performing activities subject to that permit; or

2. The permit holder has interfered with the Building Official in the performance of his or her duties relating to that permit; or

3. The permit was issued in error, or on the basis of materially incorrect information supplied to the city by the permit holder; or

4. Permit fees or costs were paid to the city by check and returned from a financial institution marked nonsufficient funds (NSF) or canceled.

Such suspension, revocation or modification shall be carried out through the provisions of **Chapter ~~1.15~~**10.05 SMC ~~and shall be effective upon the compliance date established by the notice of violation. Such revocation, suspension or cancellation may be appealed to the Hearing Examiner using the appeal provisions of this chapter~~.

Notwithstanding any provision of this chapter, the Building Official may immediately suspend operations under any permit by issuing a stop work order as described in SMC 13.100.110.

* * *

Section 16. Subsection 13.150.160(K) of the SeaTac Municipal Code is hereby amended to read as follows:

13.150.060 Amendments to Chapter 5, Fire Service Features.

* * *

K. Subsection 503.7 is added to read as follows:

503.7 Establishment of fire lanes. Fire lanes in conformance with this code shall be established by the Fire Chief or his/her authorized designee, and shall be in accordance with 503.7.1 through 503.7.9.

503.7.1 Obstruction of fire lanes prohibited. The obstruction of a designated fire lane by a parked vehicle or any other object is prohibited and shall constitute a traffic hazard as defined in State law and an immediate hazard to life and property.

503.7.2 Existing fire lane signs and markings. The following signs and markings shall be provided:

1. Signs (minimum nine-inch by 16-inch) may be allowed to remain until there is a need for replacement and at that time the sign shall meet the requirements of section 503.3.2.

2. Markings may be allowed to remain until there is a need for repainting and at that time the provisions outlined in 503.3 shall be complied with.

503.7.3 Maintenance. Fire lane markings shall be maintained at the expense of the property owner(s) as often as needed to clearly identify the designated area as being a fire lane.

503.7.4 Towing notification. At each entrance to property where fire lanes have been designated, signs shall be posted in a clearly conspicuous location and shall clearly state that vehicles parked in fire lanes may be impounded, and the name, telephone number, and address of the towing firm where the vehicle may be redeemed.

503.7.5 Responsible property owner. The owner, manager, or person in charge of any property upon which designated fire lanes have been established shall prevent the parking of vehicles or placement of other obstructions in such fire lanes.

503.7.6 Violation – Penalty. Any person who fails to mark or maintain the marking of a designated fire lane as prescribed herein, or who obstructs or allows the obstruction of a designated fire lane, shall be deemed to have committed a Class 2 civil infraction. The penalty for violation of this section shall be a maximum monetary penalty of one hundred twenty-five dollars ($125.00), not including statutory assessments.

503.7.7 Violation – Civil penalty. In addition to, or as an alternate to, the penalties specified above, the City is authorized to enforce all provisions of this chapter, specifically including civil penalties, pursuant to **Chapter ~~1.15~~**10.05 SMC.

503.7.8 Impoundment. Any vehicle or object obstructing a designated fire lane is declared a traffic hazard and may be abated without prior notification to its owner by

impoundment pursuant to the applicable State law. The owner or operator shall be responsible for all towing and impound charges.

* * *

Section 17. Subsection 13.150.270(E) of the SeaTac Municipal Code is hereby amended to read as follows:

13.150.270 Automatic location identifier – Enhanced 911.

* * *

E. Violations of this section shall be remedied in accordance with SMC 10.05. ~~1.15.045 through 1.15.075 and by way of correction agreement and/or notice of infraction~~.

Section 18. Section 13.180.050 of the SeaTac Municipal Code is hereby amended to read as follows:

13.180.050 Enforcement.

In addition to any and all rights of inspection, access and enforcement contained in the National Electrical Code, the Washington Cities Electrical Code, and the statutes and regulations adopted by this chapter, the City is authorized to enforce all provisions of this chapter pursuant to Chapter ~~1.15~~ 10.05 SMC, as it presently exists and as it may subsequently be amended.

Section 19. Section 13.190.120 of the SeaTac Municipal Code is hereby amended to read as follows:

13.190.120 Enforcement.

The Director is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Chapter ~~1.15~~10.05 SMC.

If clearing inconsistent with the purposes and requirements of this chapter has occurred on a site, City of SeaTac shall not accept or grant any development permits or approvals for the site unless the applicant adequately restores the site. The Director shall require appropriate restoration of the site under an approved restoration plan which shall include a time schedule for compliance if significant resource damage has or may occur. If restoration has not been completed within the time established by the Department, the Director shall order restoration and seek restitution from the property owner through liens or other available legal methods.

Section 20. Subsection 13.210.010(G) of the SeaTac Municipal Code is hereby amended to read as follows:

13.210.010 International Property Maintenance Code.

* * *

G. Subsection 301.3, Vacant structures and land, is repealed in its entirety and replaced by the following:

301.3 Vacant Structures. All vacant structures and premises thereof must comply with this Code. Vacant structures shall be maintained in a clean, safe, secure and sanitary condition provided herein so as not to cause a blighting problem or otherwise adversely affect the public health, safety or quality of life.

301.3.1 Appearance. All vacant structures must appear to be occupied or shall be secured as specified herein.

301.3.2 Security. All vacant structures must be secured against outside entry at all times. Security shall be by the normal building amenities such as windows and doors having adequate strength to resist intrusion. All doors and windows must remain locked. Exterior walls and roofs must remain intact without holes.

301.3.2.1 Architectural (Cosmetic) Structural panels. Architectural structural panels may be used to secure windows, doors and other openings provided they are cut to fit the opening and match the characteristics of the building. Architectural panels may be of exterior grade finished plywood or Medium Density Overlaid plywood (MDO).

301.3.2.2 Security fences. Temporary construction fencing shall not be used as a method to secure a structure from entry for a period exceeding 30 days.

301.3.3 Weather protection. The exterior roofing and siding shall be maintained as required in Section 304.

301.3.4 Fire Safety.

301.3.4.1 Fire protection systems. All fire suppression and alarms systems shall be maintained in a working condition and inspected as required by the Fire Department.

301.3.4.2 Flammable liquids. No vacant structure or premises or portion thereof shall be used for the storage of flammable liquids or other materials that constitute a safety or fire hazard.

301.3.4.3 Combustible materials. All debris, combustible materials, litter and garbage shall be removed from vacant structures, their accessory buildings and adjoining yard areas. The structure and premises shall be maintained free from such items.

301.3.4.4 Fire inspections. Periodic fire department inspections may be required at intervals set forth by the fire chief or his designee.

301.3.5 Plumbing fixtures. Plumbing fixtures connected to an approved water system, an approved sewage system, or an approved natural gas utility system shall be installed in accordance with applicable codes and be maintained in sound condition and good repair or removed and the service terminated in the manner prescribed by applicable codes.

301.3.5.1 Freeze protection. The structure's water systems shall be protected from freezing.

301.3.6 Electrical. Electrical service lines, wiring, outlets or fixtures not installed or maintained in accordance with applicable codes shall be repaired, removed or the electrical services terminated to the structure in accordance with applicable codes.

301.3.7 Heating. Heating facilities or heating equipment in vacant structures shall be removed, rendered inoperable, or maintained in accordance with applicable codes.

301.3.8 Interior floors. If a hole in a floor presents a hazard, the hole shall be covered and secured with three-quarter (3/4) inch plywood, or a material of equivalent strength, cut to overlap the hole on all sides by at least six (6) inches.

301.3.9 Termination of utilities. The code official may, by written notice to the owner and to the appropriate water, electricity or gas utility, request that water, electricity, or gas service to a vacant structure be terminated or disconnected.

301.3.9.1 Restoration of Service. If water, electricity or gas service has been terminated or disconnected pursuant to Section 313.9, no one except the utility may take any action to restore the service, including an owner or other private party requesting restoration of service until written notification is given by the code official that service may be restored.

301.3.10 Notice to person responsible. Whenever the code official has reason to believe that a structure is vacant, the code official may inspect the structure and premises. If the code official determines that a vacant structure violates any provision of this section, the code official shall notify in writing, the owner of the structure, or real property upon which the structure is located, or other person responsible, of the violations and required corrections and shall be given a time frame to comply.

301.3.10.1 Alternate requirements. The requirements and time frames of this section may be modified under an approved Voluntary Correction Agreement (VCA). Within 30 days of notification that a structure or real property upon which the structure is located, is in violation of this Section, an owner may submit a written proposed VCA for the code official to review and approve if found acceptable. A Correction Agreement may allow:

1) Extended use of non-architectural panels

2) Extended use of temporary security fencing

3) Extended time before the demolition of a structure is required

4) For substandard conditions to exist for a specific period of time, provided the structure is secured in an approved manner. When considering a VCA, the code official shall take into consideration the magnitude of the violation and the impact to the neighborhood.

301.3.11 Enforcement. Violations of this section shall be enforced according to the provisions and procedures of Chapter ~~1.15~~10.05 of the SeaTac Municipal Code and subject to the monetary penalties contained therein.

301.3.11.1 Abatement. A structure or structure accessory thereto that remains vacant and open to entry after the required compliance date is found and declared to be a public nuisance. The code official is hereby authorized to summarily abate the violation by securing the structure to unauthorized entry. The costs of abatement shall be collected from the owner in the manner provided by law.

301.3.11.2 Unsafe structures and equipment. Any vacant structure or equipment therein, declared unsafe is subject to the provisions of Section 111 and the demolition provisions of Section 113.

* * *

Section 21. Section 13.270.080 of the SeaTac Municipal Code is hereby amended to read as follows:

13.270.080 Violations and enforcement.

~~A.~~ Failure of an owner or occupant of a building to install and maintain the display of address numbers as required by this chapter shall subject the said owner or occupant to the procedures and penalties set forth in Chapter ~~1.15~~10.05 SMC as presently existing or as may be subsequently amended.

~~B. Intentional display, advertisement, or use of an address not assigned by the Director pursuant to this chapter shall constitute a violation of a city ordinance, and upon conviction shall be punished by a fine not to exceed one thousand dollars ($1,000) or imprisonment for a term not to exceed ninety (90) days, or both. The City shall have full authority to also abate and remove any unofficial or altered street sign.~~

Section 22. Section 15.125.005 of the SeaTac Municipal Code is hereby amended to read as follows:

15.125.005 ~~Authority of City Manager~~ Violations.

~~The City Manager, or designee, is authorized to utilize the procedures of this code and adopted ordinances to enforce any and all violations of land use, health and business regulatory ordinances of the City, and shall establish an Office of Code Enforcement for those purposes.~~

~~See Chapter 1.15 SMC, Code Enforcement.~~

Any person or entity who violates any provision of this chapter, or the provisions of any procedures adopted hereunder, shall be subject to code enforcement action and a civil penalty as set forth in Chapter 10.05 SMC, Code Compliance Procedures.

Section 23. Section 15.700.310(H) of the SeaTac Municipal Code, as further amended by Ordinance 25-1031 adopted on December 9, 2025 and not yet codified, is hereby amended to read as follows:

15.700.310 Wetlands – Mitigation Requirements

* * *

H. **Illegal Alteration.**

1. When a wetland or its buffer has been altered in violation of this chapter, all ongoing development work on the site shall stop and the critical area shall be restored. The City shall have the authority to issue a "stop work" order, pursuant to Chapter ~~1.15~~ 10.05 SMC, to cease all ongoing development work and order restoration, rehabilitation, or replacement measures at the owner's or other responsible party's expense to compensate for violating provisions of this chapter.

2. The following minimum requirements shall be met for the restoration of a wetland:

a. The original wetland structure, functions and values of the wetland shall be restored including hydrologic function, water quality and habitat functions;

b. The original soil type and configuration shall be restored;

c. The wetland edge and buffer configuration shall be restored to its original condition; and

d. The wetland, edge and buffer shall be replanted with vegetation native to the regional ecology which replicates the original vegetation in species, sizes and densities.

3. The requirements in subsection (H)(2) of this section may be modified if the applicant demonstrates that greater wetland functions can otherwise be obtained.

Section 24. Subsection 18.10.020(D) of the SeaTac Municipal Code is hereby amended to read as follows:

18.10.020 Authority and Application

* * *

D. Penalties for Noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall be addressed in accordance with SMC 10.05. ~~1.15.045 through 1.15.075 by way of correction agreement and/or notice of infraction.~~ Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to abate any violation.

* * *

Section 25. Corrections. Upon approval of the City Attorney's Office, the City Clerk and the Code Reviser are authorized to make necessary corrections without altering intent, including the correction of clerical errors, references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

Section 26. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

Section 27. This Ordinance shall be in full force and effect on March 1, 2026.

ADOPTED this 10th day of February, 2026, and signed in authentication thereof on this 10th day of February, 2026.

CITY OF SEATAC

Mohamed Egal, Mayor

ATTEST:

Kristina Gregg, City Clerk

Approved as to Form:

Cindy Corsilles, City Attorney

[Effective date: March 1, 2026]

[Code Compliance]

Exhibit A

Chapter 10.05
CODE COMPLIANCE PROCEDURES

10.05.010 PURPOSE & INTENT

1. The purpose of this title is to secure compliance with adopted city laws and regulations and other state regulations to promote and protect the general public health, safety, and environment of city residents. Additionally, this title establishes the process and mechanism to resolve violations of adopted laws, provides an opportunity for an appeal of determinations of violations and prompt hearings and decisions on any such appeals, establishes civil penalties for violations, and provides for the collection of said penalties.

2. This title intends to place the obligation for code compliance on the person responsible for a violation and does not impose any duty upon the city or any of its officers, officials, or employees, which would subject them to damages in a civil action.

10.05.020 DEFINITIONS.

The words and phrases designated in this section shall be defined for this title as follows:

A. "Abate" means to take whatever steps are deemed necessary to cure a violation, to return a property to the condition in which it existed before a civil code violation occurred, or to assure that the property complies with applicable code requirements. Abatement may include, but is not limited to, rehabilitation, demolition, removal, replacement, or repair.

B. “Control” means the ability to dominate, govern, manage, own, and regulate a premises or the conduct that occurs in or on a premises.

C. “De minimis” means a civil code violation with a very low impact and poses little or no risk to the health, safety, and welfare of the public to the environment.

D. "Director" means the Community and Economic Development Department Director or designee.

E. “Environmental harm” means the individual or cumulative negative environmental impacts and risks to communities as defined in RCW 70A.02.010.

F. “Hearing examiner" means a person holding the Office of Hearing Examiner as provided in Chapter 1.20 SMC.

G. “Incidental Expenses” means personnel costs, both direct and indirect, attorney’s fees, costs incurred in documenting the violation, hauling, storage and disposal expenses, restoration costs, and actual expenses and costs of the city in preparing notices, specifications, and contracts, and in accomplishing and/or contracting and inspecting the work and the costs of any required printing and mailing, and other expenses allowed by law.

H. "Permit" means any form of certificate, approval, registration, license, conditions of approval, easements, use limitations shown on the face of an approved final plat map, or any other written permission issued by the City of SeaTac.

I. "Person" means any individual, association, partnership, corporation, or legal entity, public or private, and the agents and assigns of the individual, association, partnership, corporation, or legal entity.

J. "Person responsible for code compliance" or "Person responsible for the violation" means any of the following: the person doing the work; a person as defined under this title who has ownership or legal control of the property or structure that is subject to the city code or regulation; an occupant or other person in control of the property or structure that is subject to the city code or regulation; a developer, builder, business operator, or owner who is developing, building, or operating a business on the property or in a structure that is subject to the city code or regulation; or any person who commits any act or omission which is a violation or causes or permits a violation of the city code to occur or remain upon property in the city, and includes but is not limited to the owner(s), the lessor(s), the tenant(s), or other person(s) entitled to control, use and/or occupy property where a violation occurs.

K. "Regulation" means and includes any of the following, as now enacted or hereafter amended: all SeaTac Municipal Code provisions; all statutes, standards, rules, and procedures adopted by the city that are referenced in this title; and the terms and conditions of any license, permit or approval issued by the city.

L. "Violation " means and includes one or more of the following:

1. Any act or omission contrary to any ordinance or regulation of the City of SeaTac that regulates or protects public health, the environment, or the use and development of land or water, whether or not the ordinance, resolution, or regulation is codified; or,

2. Any act or omission contrary to the conditions of any permit, notice and order, voluntary correction agreement, or stop work order issued under any such ordinance, resolution, regulation, or public rule; or,

3. A Notice and Order or a Stop Work Order has been issued and not timely appealed; or,

4. A Voluntary Correction Agreement has been entered into but not complied with; or,

5. A final determination by the hearing examiner that a violation has occurred, which has not been stayed or reversed on appeal.

M. "Violation, Commercial" means violations that result from or are related to business activity or operations.

N. "Violation, Non-commercial" means violations that are not the result of or related to a business activity or operations.

O. "Violation, repeat" means, as evidenced by the issuance of a Notice and Order, a Voluntary Correction Agreement, or a Stop Work Order, or a subsequent violation that has occurred on the

same property or that has been committed by a person responsible for the prior violation elsewhere within the City of SeaTac. The violation need not be the same as the prior violation to constitute a repeat violation. The violation of a written order of the hearing examiner that has been served as provided in this title shall also constitute a repeat violation.

P. "Voluntary Correction Agreement" means a legally binding agreement between a person responsible for code compliance and the City of SeaTac where the person responsible for code compliance agrees to do any combination of actions necessary to correct the code violation, remediate the violation, and / or mitigate the impact of the violation

10.05.030 DECLARATION OF PUBLIC NUISANCE

A. All code violations are determined to be detrimental to public health, safety, welfare, and environment and are declared to be public nuisances. All conditions determined to be code violations may be subject to and enforced under the provisions of this title, except where specially excluded by law or regulation.

10.05.040 RIGHT OF ENTRY

Whenever necessary to inspect to enforce any provision of the city code, or whenever there is reasonable cause to believe that there exists a violation of the code in any building or upon any premises within the jurisdiction of the city, the director, upon presentation of proper credentials, may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him by the code. The director may make examinations, surveys, and studies necessary to perform his or her duties. These may include, but are not limited to, the taking of photographs, digital images, videotapes, video images, audio recordings, samples, or other physical evidence. Except in emergencies, the director shall first give the owner and/or occupant, if either can be located after reasonable effort, reasonable notice of the director's intention to inspect. If the owner and/or occupant refuses entry, the director is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

10.05.050 ENFORCEMENT AUTHORITY AND ADMINISTRATION

A. To discourage public nuisances, make efficient use of public resources, and otherwise promote compliance with applicable code provisions, a director may, in response to field observations or reliable complaints, determine that civil code violations have occurred or are occurring and may:

1. Enter into voluntary correction agreements with the persons responsible for the violation or the persons responsible for compliance, and issue notices of noncompliance if the persons responsible for the violation or the persons responsible for compliance fail to comply with the terms of the voluntary correction agreement;

2. Issue notice and orders, assess civil penalties and fines, and recover costs;

3. Order abatement via a notice of intent to abate, and if abatement is not completed promptly by the person responsible for code compliance, undertake the abatement, charge and collect the reasonable costs of such work;

4. Order work stopped at a site using a stop work order, and if such order is not complied with, assess civil penalties and take further actions;

5. Suspend or revoke any business license previously issued by the City;

6. Suspend, revoke, or modify any permit previously issued by a director or deny a permit application; and

7. For *de minimis* violations, decide not to take enforcement action.

B. The procedures outlined in this title are not exclusive. These procedures shall not limit or restrict the city from remedying or abating civil code violations in any other manner authorized by law.

C. In addition to, or as an alternative to, utilizing the procedures outlined in this title, the director may assess and recover civil penalties accrued under this title through a collection agency or a legal action filed in King County Superior Court, including placement and foreclosure of liens.

D. The provisions of this title shall in no way adversely affect the rights of the owner, lessee, or occupant of any property to recover all costs and expenses incurred and required by this title from any person causing such violation separately.

E. In administering the provisions for code enforcement, the director shall have the authority to waive any one or more such provisions to avoid substantial injustice by application thereof to the acts or omissions of a public or private entity or individual, or acts or omissions on public or private property including, for example, property belonging to public or private utilities, where no apparent benefit has accrued to such entity or individual from a code violation and any necessary remediation is being promptly provided. Substantial injustice shall not be based on economic hardship for purposes of this provision.

F. The city's administration of the municipal code does not create a substantive basis for an appeal of an alleged violation.

10.05.060 PRIORITIES FOR RESPONSES TO COMPLAINTS

A. The priorities outlined in this section are not jurisdictional, and failure to meet them in any particular case shall not affect the city's authority to enforce city code provisions. The following guidelines set forth priorities for responding to code compliance complaints:

B. High priority violations needing an urgent response, including cases in which:

1. There is actual bodily harm, damage to public resources or facilities, damage to real or personal property, public health exposure, or environmental harm; or,

2. The sites or persons responsible for code compliance have a history of prior high or moderate- priority violations.

C. Moderate priority violations needing a prompt response, including cases in which:

1. There is a risk of bodily harm, damage to public resources or facilities, damage to real or personal property, or environmental harm; or,

2. The subject sites or persons responsible for code compliance have a history of prior low-priority violations; or,

3. The use of the subject site or building is not a legally established use or the persons responsible for code compliance has not obtained required land use approvals and / or construction permits; or

4. There are ongoing moderate or low-priority violations.

D. Low-priority violations requiring response as time permits, including cases in which:

1. The violation is non-emergent, does not fit within the high-priority or moderate-priority categories, and has only minor public impacts; or,

2. The violation is an isolated incident.

10.05.070 CODE COMPLIANCE PROCESS

A. Initial Investigation.

1. The director shall determine whether a violation has occurred based on information derived from sources such as field observations, witness statements, relevant documents, other available information, and applicable city code provisions. As soon as the director has reasonable cause to determine a violation exists, the director shall document the violation and notify the person responsible for the violation.

B. Warning.

1. A warning may be issued verbally or in writing promptly when a field inspection reveals a violation or as soon as the director otherwise determines that a violation has occurred. The warning shall briefly describe the nature of the violation and include a reference to the applicable permit or zoning condition, ordinance, or code related to the violation. The warning shall also establish a time period for the person responsible for compliance opportunity to correct the violation or enter into a voluntary correction agreement as provided for by this title.
2. If a warning is issued, it shall be logged, and a Courtesy Notice shall be issued within two (2) weeks, and the site shall be reinspected within thirty (30) days or as determined by the director. No warning needs to be issued in emergencies that pose an imminent threat to environmental health or public safety.

C. Courtesy Notice.

1. Once a violation has been identified, and the time period for correction, if any, under a warning has passed, the director shall provide a Courtesy Notice to the person responsible for the violation.
2. If warning has not been issued, the Courtesy Notice shall be issued as soon as practically feasible.

3. The Courtesy Notice shall inform the person responsible of the nature of the violation. It shall include a reference to the applicable permit, condition, ordinance, or code related to the violation.
4. The Courtesy Notice shall also allow the person responsible for the violation an opportunity to correct the violation.
5. A Courtesy Notice does not need to be issued in cases involving emergencies that pose an imminent threat to environmental health or public safety.

D. Notice and Order.

1. A Notice and Order shall be issued if the violation is not corrected. A Notice and Order may be issued without either a warning or a Courtesy Notice.
2. The Notice and Order shall establish a date for correction of the violation. A deadline for correction previously set by a warning or Courtesy Notice may be extended by the Notice and Order.
3. A Supplemental Notice and Order may be issued to add to, rescind in part, or otherwise modify a previously issued Notice and Order. The Supplemental Notice and Order shall be governed by the same procedures applicable to all notices and orders in this title.
4. The Notice and Order and Supplemental Notice and Order issued under this section determine whether a violation of the city code has been committed. This determination is final and conclusive unless it is timely appealed, as provided herein.
5. Content of a Notice and Order. The Notice and Order shall include the following:
   (i) The name and address of the property owner and/or the person responsible for the violation to whom the Notice and Order is directed;
   (ii) The street address or a description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
   (iii) A plain language description of the violation and citations of the relevant provision of the SeaTac Municipal Code that are the basis for the violation;
   (iv) A statement of the actions that the person responsible for compliance must take to correct the violation;
   (v) A date or time by which such correction is to be completed;
   (vi) A statement describing the civil penalties for each violation per day;
   (vii) A statement that the person responsible for the violation to whom the Notice and Order is directed must:
      (a) Complete correction of the violation by the date stated in the Notice; or
      (b) Appeal the Notice and Order; or
      (c) Enter and comply with a voluntary correction agreement with the city; and
      (d) A statement that a monetary penalty, in an amount per day for each violation as specified by this title shall accrue against the person responsible for the violation for every day, which the violation continues following the date set for correction, and that the violation may be abated by the city with costs assessed against the person, provided that a monetary penalty shall accrue if: A) the violation is not corrected, and B) the Notice and Order is not appealed, and C) a Voluntary Correction Agreement is not entered into or complied with, and D) the person responsible for the violation does not comply with the hearing examiner's decision if a decision is issued on appeal.

E. Voluntary Correction Agreement. The director shall make reasonable efforts to secure voluntary compliance from the person responsible for code compliance as follows:

1. The person responsible for compliance may enter into a Voluntary Correction Agreement at any time after a warning, a Courtesy Notice, a Notice and Order, or a Stop Work Order is issued before an appeal is decided.

2. The Voluntary Correction Agreement shall include the following:

(i) The name and address of the person responsible for code compliance;

(ii) The address or other identification of the location of the violation;

(iii) A description of the violation and a reference to the provision or provisions of the ordinance, resolution, or regulation that has been violated;

(iv) A description of the necessary corrective action to be taken and identification of the date or time by which compliance must be completed. The Voluntary Correction Agreement may either require that compliance be achieved by a specific date, or that compliance be achieved by a date to be determined based on the occurrence of some future event;

(v) The assessment of civil penalty shall continue to accrue during the period of the Voluntary Correction Agreement;

(vi) An acknowledgment that if the terms of the Voluntary Correction Agreement are not met, a Notice of Noncompliance will be issued, and if the Notice of Noncompliance is not successfully appealed, the city may, without issuing a Notice and Order or Stop Work Order, resort to any remedy authorized by this title, which includes the assessment of the civil penalties identified in the Voluntary Correction Agreement, abatement of the violation, assessment of the costs incurred by the city to pursue code compliance and to abate the violation, including legal and incidental expenses, and the suspension, revocation or limitation of a development permit or business license;

(viii) An acknowledgment that all accrued civil penalties and enforcement costs shall be reinstituted and the total unpaid amount may be the joint and several personal obligation of all persons responsible for code compliance and become a lien against the property where the violation occurred;

(ix) An acknowledgement that by entering into the Voluntary Correction Agreement, the person responsible for code compliance admits that the conditions described in the Agreement constituted a violation of the SeaTac Municipal Code and knowingly and voluntarily waives the right to appeal such violations.

3. Extensions and Modifications. The director may extend time for compliance or modify the required corrective actions based on evidence of due diligence, substantial progress, or change in circumstances which renders full and timely compliance unattainable.

4. Suspension of Fines. At the director's discretion, suspension or waiver of civil penalties and other fees and costs can occur based on full and satisfactory compliance with the terms of a Voluntary Correction Agreement at the end of the allowed period.

F. Stop Work Order

1. Whenever the director determines a violation exists, he or she may issue a Stop Work Order directing any person causing, allowing, or participating in the offending conduct to cease such activity or conduct immediately.

2. A Stop Work Order may be appealed under the procedures outlined in SMC 1.20. The Stop Work Order shall remain in effect during the appeal period and any appeal proceedings.

3. In addition to any other judicial or administrative remedy, a director may assess civil penalties for violation of any Stop Work Order as authorized under the civil penalty schedule. Civil penalties for violating any Stop Work Order shall begin to accrue on the first day of violation and

shall continue until city determines the underlying violation has been corrected or until the city lifts the Stop Work Order.

4. In addition to civil penalties, the city can prosecute the removal of a posted Stop Work Order as a misdemeanor punishable by a fine of one thousand dollars ($1000.00) and/or up to one (1) year in jail.

5. Failure to appeal the Stop Work Order renders the Stop Work Order a conclusive and final determination that the civil code violation occurred.

6. Civil penalties assessed for violating a Stop Work Order constitute joint and several liability for all persons responsible for code compliance as well as becoming a lien against the property which is subject to the Stop Work Order.

10.05.080 SERVICE OF WRITTEN NOTICE.

Service of a Courtesy Notice, Notice and Order, Stop Work Order, or other official written notices of violation shall be made by one of the following methods:

A. Personal service. By personal service to the person responsible for the code violation or by leaving a copy of the written notice at the person responsible for the code violation's place of residence with a person of suitable age and discretion who resides therein.

B. Service by posting. By posting the written notice in a conspicuous place on the property where the violation occurred and concurrently sending a notice electronically or via first-class mail.

C. Service by mail. By mailing the written notice by regular first-class mail to the person responsible for the code violation at their or their last known address, at the address of the violation, or the address of the place of business of the person responsible for the code violation. The taxpayer's address, as shown on the county's tax records, shall be deemed the proper address for mailing such notice to the landowner of the property where the violation occurred. Service by mail shall be presumed effective upon the third business day following the day the official written notice and order was placed in the mail.

D. Service by Publication. For Notice and Order only, when the address of the person responsible for the code violation cannot reasonably be determined, service may be made by publishing the abstract of the Notice and Order substantially in the manner as outlined in RCW 4.28.110, as currently enacted or hereafter amended.

E. Proof of service shall be made at the time of service by a written declaration under penalty of perjury executed by the person affecting the service, declaring the date and the manner of service. Any failure of the person to whom the notice is directed to observe the posted notice or to receive the mailed notice shall not invalidate service made in compliance with this section, or the Notice and Order.

F. The failure of the director to make or attempt service of written notice on any person shall not invalidate any proceedings as to any other person duly served.

10.05.090 RECORDING

A. Whenever a Notice and Order is served on a person responsible for code compliance, a copy of the Notice and Order and any subsequent Supplemental Notice and Order may be recorded with the King County Recorder's Office against the real property upon which violations occurred.

B. If a Notice and Order has been recorded, when all violations specified in the Notice and Order have been corrected or abated, a Certificate of Compliance shall also be recorded with the King County Recorder's Office. The certificate shall include a legal description of the property where the violation occurred. It shall specify whether unpaid civil penalties are still outstanding and continue as a lien on the property.

10.05.100 CORRECTIVE REMEDIES AND PENALTIES.

A. Where feasible, corrective remedies and penalties shall be applied to the person responsible for code compliance.

B. Civil Penalties. Failure to correct a violation in the manner and within the time frame specified by the Notice and Order subjects the person responsible for code compliance to civil penalties calculated under the following schedule:

1. Commercial violations:
    i. First day of each violation, one hundred dollars ($100.00) per violation
    ii. Second day of each violation, two hundred dollars ($200.00) per violation
    iii. Third day of each violation, three hundred dollars ($300.00 per violation
    iv. Each additional day of each violation beyond four (4) days, five hundred dollars ($500.00).
    v. The maximum civil penalty for commercial violations is one million dollars ($1,000,000).
2. Non-commercial violations.
    i. First day of violation, one hundred dollars ($100.00) per day per violation.
    ii. After thirty (30) days, two hundred fifty dollars ($250.00) per day per violation.
    iii. After sixty (60) days, five hundred dollars ($500.00) per day per violation.
    iv. The maximum civil penalty for non-commercial violations is fifty thousand dollars ($50,000).
3. Repeat violation or violators.
    i. Repeat violations will incur double (2 times) the civil penalties as outlined in this section the first, and second time the violation is repeated within a thirty-six (36) month period.
    ii. If violations are repeated, a third or subsequent time within a thirty-six (36) month period, the penalties will be five (5) times those set forth above.

C. The civil penalties in this section are in addition to, and not in lieu of, any penalties, sanctions, restitution, or fines provided for in any other provisions of law.

D. Business License Suspension. For commercial violations, the director has the authority to suspend or revoke any ~~a~~ business license issued by the city.

E. Hold on future permits. The director may place a hold on the issuance of future permits on a property if:

1. A Notice of Violation or a Stop Work Order has been issued; and
2. The appeal period has passed, or an appeal was brought but it was dismissed; and

3. The violation has not been corrected and/or penalties or fines have not been paid; and
4. The permits relate to the violation.

A hold on future permits will prevent the issuance of any land use decisions or construction permit for the subject property, and for the person responsible for the violation on any other property within the city, until the violation is resolved, corrective actions are taken, and penalties are paid. The director may issue exceptions to this subsection for emergencies, hazardous situations, or other situations as deemed reasonable.

F. Permit denial, suspension, revocation, and limits.

1. The director may deny, suspend, revoke, or limit any permit, when, regarding the site or project for which the permit is submitted:
   i. Any person has been found in violation and remains in violation of any ordinance, resolution, or regulation of the city that regulates or protects the public health or the use and development of land or water;
   ii. For any property that has been found in violation and remains in violation of SeaTac Municipal Code or of any rule, permit, approval, order, easement, plan or agreement issued thereunder; or
   iii. The permit holder has committed a code violation while performing activities subject to that permit;
   iv. The permit holder has interfered with the director in the performance of his or her duties relating to that permit;
   v. The permit was issued in error or based on materially incorrect or omission of information supplied to the city;
   vi. Permit fees or costs were paid to the city by check and returned from a financial institution marked insufficient funds (NSF) or canceled;
   vii. For a permit or approval that is subject to critical areas review, the applicant has failed to disclose a change of circumstances on the development proposal site which materially affects an applicant's ability to meet the conditions for permit approval or where such change in circumstances renders the critical areas study that was the basis for establishing permit or approval conditions inaccurate or incomplete; or
   viii. Any combination of the above.

2. A permit may be denied, suspended, revoked, or modified through this chapter's Notice and Order provisions. The denial, revocation, suspension, or modification of permits may be appealed to the hearing examiner.

3. Notwithstanding any other provision of this title, the director may immediately suspend operations under any permit by issuing an emergency Stop Work Order upon a violation of any city ordinance or rules and regulations adopted thereunder where the violation has created or is creating unsanitary, dangerous, or other conditions constituting an immediate and irreparable hazard. Termination of operations under the permit may occur without prior warning or service of a written Notice and Order.

4. To further the remedial purposes of this title, the city's action regarding the permit may continue until the violation is corrected and after payment of any civil penalties accrued. Permits or approvals shall be granted as necessary to accomplish any required correction.

G. Misdemeanor. The City Prosecuting Attorney shall have the discretion to file a violation of the provisions of this title as a criminal misdemeanor when a person willfully or knowingly violates, by way of repeat violations the civil codes or regulations set forth under this title or by any act of commission or omission procures, aids, or abets such violations. Upon conviction, the person shall be punished by either a fine not to exceed one thousand ($1000) dollars, imprisonment in the county jail for a term not to exceed ninety (90) days, or both.

10.05.120 WAIVERS OF CIVIL PENALTY

A. Civil penalties, in whole or in part, may be waived by the director under the following circumstances:

1. The Notice and Order, Notice of Noncompliance, or Stop Work Order was issued in error; or,
2. The code violations have been corrected whether under a Voluntary Correction Agreement or by other corrective action; or,
3. Since a Notice and Order, Notice of Noncompliance, Stop Work Order, or newly assessed penalty invoice was issued, other information warranting waiver has been presented to the director; or,
4. The civil penalties were assessed in error; or,
5. Notice failed to reach the property owner due to mitigating circumstances.

10.05.130 SUMMARY ABATEMENT-ABATEMENT BY THE CITY

A. The City may summarily and without prior notice abate a code violation whenever:

1. Whenever a violation causes a condition, whose continued existence constitutes an immediate and emergent threat to the public health, safety, welfare, or environment; or,

B. Whenever it appears to the director that no efforts have been made by the person responsible to fulfill the terms of any voluntary correction agreement under this chapter; or,

C. When a Notice and Order was issued under this chapter, the period for filing an appeal has expired, but the required correction has not been completed; or

D. When the condition is subject to summary abatement as provided in this chapter or other specific provisions of city or state law(s).

B. The city may use any lawful means to utilize city employees or a private contractor under city direction to enter the subject property and remove or correct the violation.

C. When summary abatement involves the towing and disposing of any vehicle, the city shall give notice to the Washington State Patrol and the Department of Licensing that the vehicle has been wrecked.

D. Interference. Any person who knowingly obstructs, impedes or interferes with the city or its agents or with the person responsible for the violation in the performance of duties imposed by this chapter shall be charged with a misdemeanor punishable by imprisonment not exceeding ninety (90) days and a fine not exceeding one thousand dollars ($1,000).

E. Notice of the summary abatement, including its reason(s), shall be given to the person responsible for the violation as soon as practicable after the abatement. No right of action shall lie against the city or its agents, officers, or employees for the performance of summary abatement.

F. Recovery of Costs and Expenses. The costs of the abatement, including incidental expenses, of correcting the violation, shall be invoiced to the person responsible for the violation and become due and payable to the city within thirty (30) calendar days. "Incidental expenses" include~~s~~ but shall not be limited to personnel costs, both direct and indirect, including attorneys' fees; costs incurred in documenting the violation; the costs of any required printing and mailing; and actual expenses and costs incurred by the city in carrying out the summary abatement, and/or contracting for and inspecting the completed abatement work by another, including hauling, storage, and disposal expenses. All such costs and expenses shall constitute a lien against the affected property.

10.05.140 JUDICIAL ABATEMENT

A. In addition to any other judicial or administrative remedy, the city attorney, on behalf of the city, file a civil action in King County Superior Court or before a court of competent jurisdiction against the person(s) responsible for the violation.

B. A civil action may involve monetary judgment, declaratory relief, temporary or permanent injunctive relief, abatement, and other civil remedies provided by law. The civil action must name each alleged person against whom the director seeks to obtain code compliance as the respondent. The respondent may not assert as a defense any fact or issue that the respondent had an opportunity to assert before the hearing examiner and did so or upon which the hearing examiner issued a final determination which was unfavorable to the respondent.

10.05.150 COLLECTION OF CIVIL PENALTY AND ABATEMENT COSTS

A. Personal Obligation and Payment Deadline. Any monetary penalty imposed under this title constitutes joint and several obligation of all persons responsible for the violation. All assessed and invoiced penalties shall be paid to the City within fourteen (14) calendar days of the date of the invoice, or, if an appeal is filed, within fourteen (14) calendar days following the hearing examiner's final decision.

B. Use of Collection Agencies. The city may utilize a licensed collection agency to recover unpaid penalties or costs. The reasonable costs of collection shall be added to and collected along with the monetary penalty.

C. Liens for Unpaid Penalties and Costs. The director may record a lien against the real property of a person responsible for code compliance when penalties or costs remain unpaid. The lien shall include the following:

1. The applicable SeaTac Municipal Code provision(s);

2. A brief description of the violation and its duration as of the date of recording;

3. A brief description of any abatement work performed and the identity of the person or contractor performing the work;

4. The name of the property owner, if known, or a statement that the owner is unknown;

5. A legal description of the property;

6. The total amount of penalties, fines, and costs owing; and

7. A sworn statement signed by the director attesting that the claim is just and due.

D. Legal Remedies. The city attorney is authorized to pursue any lawful civil remedies necessary to collect unpaid penalties, fines, or abatement costs.

E. Abatement Liens.

1. When penalties or abatement costs are assessed against a property remain unpaid for ninety (90) days, the city may levy a special assessment against the property to recover such costs. Prior to levying the assessment, the city shall provide notice to the property owner and identifiable mortgage holders, by regular mail as provided in RCW 35A.21.405, informing them of the city's intent to levy the assessment and the estimated amount.

2. A special assessment levied under this subsection constitutes a lien against the property and is binding upon all successors in title from the date the lien is recorded with the county auditor. Up to two thousand dollars ($2,000) of the lien shall be of equal rank with state, county, and municipal taxes.

3. Special assessments levied under this section may be collected through a contract with the county treasurer in accordance with RCW 84.56.035.

10.05.160 LIENS

A. Duration. No lien created under this title shall bind property for more than ten (10) years after the lien is recorded unless an action to enforce the lien is initiated in a court of competent jurisdiction within that ten-year period.

B. Satisfaction of Lien. Upon full payment of all penalties, abatement costs, or both, the director shall promptly record a Satisfaction of Lien with the King County Recorder's Office. The satisfaction shall include a legal description of the property on which the violation occurred.