

August 6, 2020

**OFFICE OF THE HEARING EXAMINER
KING COUNTY, WASHINGTON**

King County Courthouse
516 Third Avenue Room 1200
Seattle, Washington 98104
Telephone (206) 477-0860
hearingexaminer@kingcounty.gov
www.kingcounty.gov/independent/hearing-examiner

SUMMARY ORDER

SUBJECT: Department of Local Services file no. **ENFR140796**

JAMES FRENCH
Code Enforcement Appeal

Location: [REDACTED] Duvall

Appellant: **James French**
[REDACTED]
North Bend, WA 98045
Telephone: [REDACTED]
Email: [REDACTED]

King County: Department of Local Services
represented by **LaDonna Whalen**
Department of Local Services
35030 SE Douglas Street Suite 210
Snoqualmie, WA 98065
Telephone: (206) 477-5567
Email: ladonna.whalen@kingcounty.gov

The Department asserts violations for (1) use and occupancy of a structure without final inspections and approval under B98M0739, (2) accumulation of inoperable vehicles and vehicle parts and parking vehicles (operable or inoperable) on non-impervious surfaces, and (3) accumulation of assorted rubbish, salvage, and debris. Mr. French does not challenge the existence of those violation, but raises issues related to the *remedy* for those violations.

Violations (2) and (3) are relatively straightforward. The Department required Mr. French to (2) remove inoperable vehicles and vehicle parts (or store them in a fully-enclosed building) and (3) remove the rubbish, salvage, and debris. Mr. French simply requests that he have until September 10 to complete these. Done.

The Department required Mr. French to (1a) submit a complete prescreening meeting request to determine whether B98M0739 will be renewed or a new permit application will be required or (1b) vacate the structure until final approval is obtained. Mr. French essentially makes two requests. The first is to have until September 10; that is not problematic.

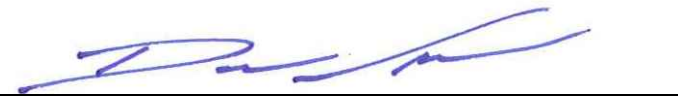
The second, that he be allowed to complete his work under the current permit (i.e. to not have to apply for a new permit), it is a little more involved. If Mr. French submits a prescreening meeting request, and at that meeting the Department renews B98M0739, then there is no dispute; Mr. French will need to wrap up the B98M0739 permit. If, however, the Department determines that the remedy is for Mr. French to apply for new permit, that is something Mr. French disputes, presumably necessitating that we hold a hearing to decide that matter.

The most efficient way forward thus seems for us to:

- Sustain the notice and order related to violations (2) and (3), with a **September 10, 2020**, deadline for Mr. French to comply.
- Sustaining the notice and order related to violation (1), with a **September 10, 2020**, deadline for Mr. French to submit to the Department a complete prescreening meeting request. In the event the Department determines that a new permit will be required, we retain jurisdiction to reopen the case and weigh in on that issue.

If for some reason we have misunderstood the situation, by **August 31, 2020**, either party is free to file, with the examiner, a motion for reconsideration explaining why the examiner should not be dismissing this appeal. Filing a timely motion for reconsideration postpones the deadline (described below the signature line) for lodging an appeal.

DATED August 6, 2020.



David Spohr
Hearing Examiner

NOTICE OF RIGHT TO APPEAL

King County Code 20.22.040 directs the Examiner to make the County's final decision for this type of case. This decision shall be final and conclusive unless proceedings for review of the decision are timely and properly commenced in superior court. Appeals are governed by the Land Use Petition Act, Chapter 36.70C RCW.

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CERTIFICATE OF SERVICE

SUBJECT: Department of Local Services file no. **ENFR140796**

JAMES FRENCH
Code Enforcement Appeal

I, Jessica Oscoy, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **SUMMARY ORDER** to those listed on the attached page as follows:

- EMAILED to all County staff listed as parties/interested persons and parties with e-mail addresses on record.
- placed with the United States Postal Service, with sufficient postage, as FIRST CLASS MAIL in an envelope addressed to the non-County employee parties/interested persons to addresses on record.

DATED August 6, 2020.



Jessica Oscoy
Office Manager

Breazeal, Jeri

Department of Local Services

French, James

Hardcopy

Lux, Sheryl

Department of Local Services

Whalen, LaDonna

Department of Local Services

Williams, Toya

Department of Local Services