

April 6, 2021

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

King County Courthouse  
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**REPORT AND DECISION**

SUBJECT: Department of Local Services file no. **ENFR200623**

**CHARLOTTE MCCALLUM**  
Code Enforcement Appeal

Location: [REDACTED] Renton

Appellant: **Charlotte McCallum**

[REDACTED]  
Renton, WA 98058

Telephone: [REDACTED]

Email: [REDACTED]

King County: Department of Local Services  
*represented by* **Holly Sawin**  
Department of Local Services  
35030 SE Douglas Street Suite 210  
Snoqualmie, WA 98065  
Telephone: (206) 477-0291  
Email: [holly.sawin@kingcounty.gov](mailto:holly.sawin@kingcounty.gov)

**FINDINGS AND CONCLUSIONS:**

Overview

1. Charlotte McCallum appeals a Department of Local Services (DLS) notice and order asserting an accumulation of inoperable vehicles, parking/storage of vehicles on non-impervious surfaces, operation of an auto repair business, occupancy of a recreational vehicle (RV), and an accumulation of assorted rubbish, salvage, and debris. We went to hearing earlier today and appear to have arrived at a workable solution.

### Vehicle-related items

2. Other than at licensed auto dismantling/repair/sales businesses, inoperative vehicles must be parked in a completely enclosed building, such as a garage; otherwise they are deemed a public nuisance. KCC 23.10.040; KCC 21A.32.230.C. Photographs demonstrate three inoperable vehicles on the property—the light gray car next to the washing machine, the pickup truck, and the Thunderbird. Ex. D5 at 002 & 003. Ms. McCallum may want to enlist her friend or family to help get those vehicles towed off to a recycler or otherwise rehomed.
3. In addition, any vehicle—inoperative or operative—must be parked on an impervious surface, such as a graveled driveway. KCC 21A.18.110.I. While there may previously have been more vehicles parked on non-graveled services, currently only the Thunderbird is parked on a non-impervious surface.
4. Finally, neighbors have complained about vehicles parked on the public street. There is no question that the vehicles that were parked on the street at the point DLS took its January photos are operative. Ex. D5 at 002. In fact, Ms. McCallum explained those cars have since been driven away. There are regulations regarding parking on public streets, such as the duration a car can remain in the same spot. However, those are not of a DLS code enforcement action—sheriff deputies handle street parking-related complaints.

### Auto repair business

5. DLS initially asserted that an auto repair business was being operated on the site. Ms. McCallum disputed that there has ever been *any* business on site. Ex. D3 at 002. Prior to hearing, DLS agreed that it could not confirm the allegation of an auto repair business. Ex. D1 at 002.

### RV occupancy

6. Ms. McCallum has been allowing a family friend to drive on and stay in an RV, given pandemic-related difficulties in the friend finding alternative living arrangements. RVs are treated as vehicles, and they do not qualify as a legal dwelling unit under the residential land use category. KCC 21A.08.030. The friend will need to find other housing accommodations, but we will provide an extended, pandemic-sensitive deadline.

### Accumulation of rubbish, salvage, and debris

7. Ms. McCallum has taken advantage of two (and perhaps three) vouchers to do some significant cleanup. What remains is relatively minor. There is a small pile of tires out near the front street, and an old dryer that apparently belongs to the RV's owner. Ex. D5 at 001. The friend will need to remove the dryer, and Ms. McCallum will need to arrange for removal of the tires. KCC 21.32.230.A.
8. Ms. Sawin explained that DLS is only authorized to issue three vouchers per property. Ms. McCallum has been issued three vouchers. It is not clear, however, whether Ms. McCallum actually took advantage of all three vouchers before each expired; she received

one voucher just before getting injured and undergoing surgery. Ms. Sawin agreed to check with the solid waste folks to see if all three vouchers had been redeemed. If so, Ms. McCallum will need to cover the tire removal cost herself. Conversely, if a voucher simply expired without being redeemed, Ms. Sawin can reissue the voucher.

9. DLS points to what appears to be a container box nestled against the garage and partially cover by a blue tarp. Ex. D5 at 003. The neighbors may not find that too sightly, but the County code is not the equivalent of homeowner's association bylaws mandating everything be kept neat and tidy. That photo does not demonstrate an accumulation of rubbish, salvage, or debris.
10. In addition to those items in the front yard, Ms. McCallum mentioned a problem in the back yard. Apparently a previous owner of the neighboring property bulldozed some junk onto the McCallum property. She may be able to use a reissued voucher for that, or perhaps she and her neighbor can work out something. In any event, the backyard is beyond the scope of the current case.

#### DECISION:

1. We grant in part, and deny in part, Ms. McCallum's appeal.
2. There is no auto repair business violation. As to the other items:
  - A. By **April 20, 2021**, Ms. Sawin will let Ms. McCallum know if she has an unredeemed voucher and, if so, will reissue the voucher with a new expiration date.
  - B. By **June 6, 2021**, Ms. McCallum shall remove, and legally dispose of, the pile of tires near the street.
  - C. By **July 6, 2021**, Ms. McCallum shall have the three inoperative vehicles described above towed off her property.
  - D. By **August 6, 2021**, Ms. McCallum will see to it that the friend removes her RV and dryer, and Ms. McCallum will let Ms. Sawin know (either by (206) 477-0291 or [holly.sawin@kingcounty.gov](mailto:holly.sawin@kingcounty.gov)) that these steps have been completed.
3. No penalties shall be assessed against Ms. McCallum or the subject property if the above actions are completed by the listed deadlines, or by any reasonable deadline extension DLS provides. If not, DLS may issue penalties retroactive to today.

ORDERED April 6, 2021.



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David Spohr  
King County 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.

### **MINUTES OF THE APRIL 6, 2021, HEARING IN THE APPEAL OF CHARLOTTE MCCALLUM, DEPARTMENT OF LOCAL SERVICES FILE NO. ENFR200623**

David Spohr was the Hearing Examiner in this matter. Participating in the hearing were Holly Sawin and Charlotte McCallum. A verbatim recording of the hearing is available in the Hearing Examiner's Office.

The following exhibits were offered and entered into the record by the Department:

Exhibit no. D1	Department of Local Services staff report to the Hearing Examiner
Exhibit no. D2	Notice and order, issued October 15, 2020
Exhibit no. D3	Appeal, received November 9, 2020
Exhibit no. D4	Codes cited in the notice and order
Exhibit no. D5	Photographs of subject property taken by Officer Sawin

DS/lo

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**CERTIFICATE OF SERVICE**

SUBJECT: Department of Local Services file no. **ENFR200623**

**CHARLOTTE MCCALLUM**  
Code Enforcement Appeal

I, Lauren Olson, certify under penalty of perjury under the laws of the State of Washington that I transmitted the **REPORT AND DECISION** 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 April 6, 2021.



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Lauren Olson  
Legislative Secretary

**Breazeal, Jeri**

Department of Local Services

**Lux, Sheryl**

Department of Local Services

**McCallum, Charlotte**

Hardcopy

**Sawin, Holly**

Department of Local Services

**Whalen, LaDonna**

Department of Local Services