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**ORDINANCE NO. 452 - APPROVING A REQUEST BY WALLA WALLA COUNTY TO AMEND WALLA WALLA COUNTY CODE CHAPTER 8.24, DEBRIS AND EXCESS VEGETATION, TO REMOVE ALL REFERENCES TO THE WALLA WALLA JOINT COMMUNITY DEVELOPMENT AGENCY.**

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Grantee

1. **The Public**
- 2.
- 3.

Additional names on page \_\_\_\_ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

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Assessors Parcel Numbers

n/a

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**BOARD OF COUNTY COMMISSIONERS  
WALLA WALLA COUNTY, WASHINGTON**

**ORDINANCE NO. 452**

APPROVING A REQUEST BY WALLA WALLA COUNTY TO AMEND WALLA WALLA COUNTY CODE CHAPTER 8.24, DEBRIS AND EXCESS VEGETATION, TO REMOVE ALL REFERENCES TO THE WALLA WALLA JOINT COMMUNITY DEVELOPMENT AGENCY.

**WHEREAS**, the Walla Walla County Community Development Department has proposed to amend Walla Walla County Code (WWCC) Section 8.24.020, Violation – Enforcement and penalty (Nuisance Code), per Docket No. ZCA16-009; and

**WHEREAS**, Article 11, section 11, of the Washington State Constitution provides that the County “may make and enforce within its limits all such local police, sanitary and other regulations as are not in conflict with general laws;” and

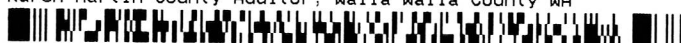
**WHEREAS**, RCW 36.32.120(10) authorizes the Board of County Commissioners, in their legislative capacity, to enumerate nuisances within the County;

**WHEREAS**, the Walla Walla County Board of Commissioners passed County Resolution 10-253 on October 4, 2010 and the Walla Walla City Council passed City Resolution 2010-71 on September 28, 2010 approving and authorizing an intergovernmental agreement creating the Walla Walla Joint Community Development Agency (WWJCDA), and the parties entered into such an intergovernmental agreement which, in part, combined County and City nuisance abatement, a/k/a code compliance, activities; and

**WHEREAS**, County Resolution Number 10-340A authorized the Director of the WWJCDA to fulfill the roles outlined in the Walla Walla County Code (WWCC) for the Director of the Community Development Department; and

**WHEREAS**, the Walla Walla County Board of Commissioners passed Ordinance 399 on October 17, 2011 which approved a request by the County to amend Chapter 8.24 of the County Code concerning debris and excess vegetation, and to consider land uses or conditions within the incorporated and unincorporated areas of the County that have been declared a nuisance by courts with jurisdiction to also be considered a violation of County Code, and to add references to the WWJCDA.

**WHEREAS**, the Board of County Commissioners de-designated the WWJCDA director via Resolution 14-289 on December 15, 2014. This resolution, effective on January 1, 2015, specified that the Community Development Department and Director would fill the roles in the code formerly held by the WWJCDA.



**WHEREAS**, the following findings of fact and conclusions of law are hereby made:

Findings of Fact:

1. On August 15, 2016 the Board of County Commissioners signed Resolution No. 16-224 setting the public hearing date to consider these amendments for August 29, 2016 at 10:15 a.m.
2. On August 15, 2016 a Notice of Public Hearing was posted to the Walla Walla County Community Development website.
3. On August 17, 2016 a Notice of Public Hearing was published in the Walla Union-Bulletin.
4. A public hearing was held on August 29, 2016.

Conclusions of Law:

1. The proposed amendment to WWCC Section 8.24.020 codifies the Walla Walla County Community Development Department's authority to enforce the provisions of Chapter 8.24.
2. The proposed amendments to WWCC Chapter 8.24 are necessary to regulate public health, safety and welfare in Walla Walla County.

**NOW THEREFORE,**

**BE IT ORDAINED**, by the Walla Walla County Board of County Commissioners that:

**Section 1. Amendment of Walla Walla County Code Sections 8.24.020.** Chapter 8.24 of the Walla Walla County Code is amended as shown on Exhibit A.

**Section 2. Effective Date.** This ordinance is effective as of the date of signing.

**Section 3. Savings and Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 4. Publication.** This ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of County Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 29<sup>th</sup> day of August, 2016.

Attest:

Connie R Vinti

Connie R. Vinti, Clerk of the Board

James K. Johnson

James K. Johnson, Chairman, District 1

Perry L. Dozier

Perry L. Dozier, Commissioner, District 2

James L. Duncan

James L. Duncan, Commissioner, District 3

Constituting the Board of County Commissioners  
of Walla Walla County, Washington

Approved as to form

Jesse D. Nolte

Jesse D. Nolte, Deputy Prosecuting Attorney



## Exhibit A

### 8.24.020 - Violation—Enforcement and penalty.

- A. If the violation of Section 8.24.010 constitutes a fire hazard as declared by the county fire marshal or a fire district chief or is injurious to the public health, such violation shall constitute a misdemeanor and shall be punishable as specified in RCW 9A.20.021. Each day a violation exists may constitute a separate violation.
- B. Any violation of Section 8.24.010 not constituting a violation of subsection A of this section shall constitute a civil infraction punishable by the following fines:

First offense	\$ 75.00
Each subsequent offense	\$250.00

Notices of civil infraction may be issued by the Walla Walla County sheriff, the public health administrator or designee, the director of the Walla Walla ~~Joint Community Development Agency~~ County Community Development Department, or designee, or the Walla Walla County prosecuting attorney. Each day a violation exists may constitute a separate violation.

- C. In addition to or in lieu of the penalties listed above, the Walla Walla ~~Joint Community Development Agency~~ County Community Development Department may, at its discretion, enforce the provisions of this chapter utilizing the procedures set forth in WWCC Chapter 14.13 for repeat or large-scale violators. The failure to obey a notice of violation and order shall continue to constitute a gross misdemeanor pursuant to WWCC Section 14.13.100.

