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CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 4242

AN ORDINANCE amending Bellevue City Code Chapter
9.10, Nuisances.

THE CITY COUNCIL OF THE CITY OF BELLEVUE, WASHINGTON, DOES ORDAIN AS
FOLLOWS:

Section 1. Bellevue City Code Chapter 9.10, Nuisances, is amended as
follows:

Chapter 9.10
Nuisances

9.10.010 Definitions

The words and phrases used in this chapter, unless the context
otherwise indicates, shall have the following meanings:

A. "Abate" means to repair, replace, remove, destroy or otherwise
remedy a condition which constitutes a violation of this chapter by such
means and in such a manner and to such an extent as the applicable
department director, determines is necessary in the interest of the
general health, safety and welfare of the community.

B. "Applicable department director" means the director of the
department or any designated alternate who is empowered by the City
Manager or by ordinance to enforce a City of Bellevue ordinance or
regulation.

C. "Building materials" means and includes lumber, plumbing
materials, wallboard, sheet metal, plaster, brick, cement, asphalt,
concrete block, roofing material, cans of paint and similar materials.

D. "Premises" means any building, lot, parcel, real estate or land
or portion of land whether improved or unimproved, including adjacent
sidewalks and parking strips and any lake, river, stream, drainage way or
wetland.

E. "Person" means any individual, firm, association, partnership,
corporation or any other entity, public or private.

9.10.020 Prohibited conduct.

A. It is a violation of this chapter for any person to permit,
create, maintain, or allow, upon any premises, any of the acts or things
declared in Section 9.10.030 to be a public nuisance.

9.10.030 Types of nuisances.

0620C
01/28/91

Each of the following conditions, unless otherwise permitted by law, is declared to constitute a public nuisance, and whenever the applicable department director determines that any of these conditions exist upon any premises, the applicable department director may provide for the abatement thereof and monetary penalties may be assessed pursuant to Bellevue City Code 1.18, Civil Violations and Abatement:

A. The existence of any trash, dirt, filth, the carcass of any animal, accumulation of yard trimmings or other matter which is offensive to a reasonable person; except for such yard debris that is properly contained for the purpose of composting; or

B. Erecting, maintaining, using, placing, depositing, leaving or permitting to be or remain in or upon any premises, which may be viewed or smelled from without the premises, or in or upon any street, alley, sidewalk, park, parkway or other public or private place in the city, any one or more of the following disorderly, disturbing, unsanitary, fly-producing, rat-harboring, disease-causing places, conditions or things:

1. Any putrid, unhealthy or unwholesome bones, meat, hides, skins, the whole or any part of any dead animal, fish or fowl, or waste parts of fish, vegetable or animal matter in any quantity; but nothing herein shall prevent the temporary retention of waste in approved covered receptacles; or

2. Any privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies and rats, or which are malodorous; or

3. An accumulation of material including, but not limited to bottles, cans, glass, plastic, ashes, scrap metal, wire, bric-a-brac, broken stone or cement, broken crockery, broken glass, broken plaster, litter, rags, empty barrels, boxes, crates, packing cases, mattresses, bedding, packing hay, straw or other packing material or building materials on any premises which not properly stored or neatly piled or is offensive to a reasonable person or in which flies or rats may breed or multiply; or

C. The existence of any fence or other structure on private property abutting or fronting upon any public street, sidewalk or place which is in a sagging, leaning, fallen, decayed or other dilapidated or unsafe condition; or

D. The existence of wrecked or disassembled trailers, house trailers, boats, tractors or other vehicle, appliance or machinery of any kind, or any major parts thereof; or

E. The existence on any premises of any abandoned or unused well, pit, shaft, cistern or storage tank without first demolishing or removing from the premises such storage tank, or securely closing and barring any entrance or trapdoor thereto or without filling any well, pit, shaft or

0620C
01/28/91

cistern or capping the same with sufficient security to prevent access thereto; or

F. The existence in a place accessible to children of any attractive nuisance dangerous to children, including but not limited to any abandoned, broken or neglected equipment, machinery, refrigerator, freezer, or other large appliance.

9.10.040 Violation - Penalty.

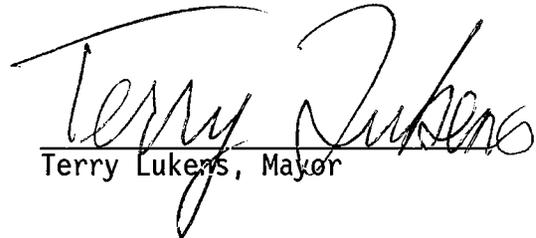
A. Any violation of any provision of this chapter constitutes a civil violation under Bellevue City Code Chapter 1.18 for which a monetary penalty may be assessed and abatement may be required as provided therein.

B. In addition to or as an alternative to any other penalty provided in this chapter or by law, any person who violates any provision of this chapter shall be guilty of a misdemeanor.

Section 2. This ordinance shall take effect and be in force thirty days after final passage by the City Council.

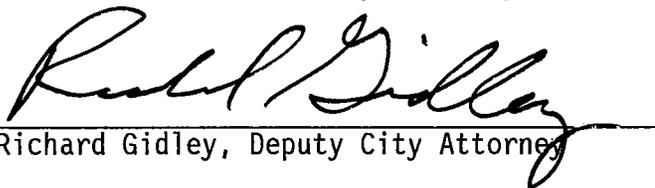
Passed by the City Council this 15th day of April, 1991, and signed in authentication of its passage this 15th day of April, 1991.

(SEAL)


Terry Lukers, Mayor

Approved as to form:

Richard L. Andrews, City Attorney


Richard L. Andrews, City Attorney

Attest:


Marie K. O'Connell, City Clerk

Published April 22, 1991