

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5686

AN ORDINANCE amending Chapter 14.06 of the Bellevue City Code by amending Section 14.06.030 Enforcement, by giving the City Manager or his/her designee the authority to abate trees creating a nuisance in the right of way, and by amending Section 14.06.040 Notice of Abatement, by deleting the requirement that notice be mailed to the property owner pending Council action.

WHEREAS, the code currently has an established procedure that City staff must follow to abate any vegetation nuisance, including potential life safety concerns; and,

WHEREAS, this procedure requires staff to file a report with the City Council and, if the report recommends that the vegetation be removed, Council must pass a resolution requiring the property owner to abate the nuisance within a time specified; and

WHEREAS, a modified Code will allow staff to manage safety concerns in a more timely and immediate manner; and,

WHEREAS, under this proposal, once the City is notified of a safety concern due to trees or vegetation threatening the safe use of the public right of way, and after evaluation by an outside arborist, staff would attempt to contact the property owner and notify them of the need to address the problem; and

WHEREAS, if the owner is unwilling or unable to respond in a timely manner, staff would then be authorized to take immediate corrective action; now, therefore

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

Section 1. Bellevue City Code Section 14.06.030 is amended as follows:

**Enforcement.**

Members of the Transportation department and Parks department shall enforce this chapter and, if any property owners fail or refuse to abate any such nuisance as defined by BCC 14.06.010 the city manager or his/her designee may in addition or as an alternative to the penalties prescribed by BCC 14.06.020, require such property owner to abate the nuisance by removal, trimming or destruction at such owner's cost and expense within a specified time; and if the removal, trimming or

destruction is not made by said owner within the time specified, the city may abate the same as provided in BCC 14.06.050.

Section 2. Bellevue City Code Section 14.06.040 is amended as follows:

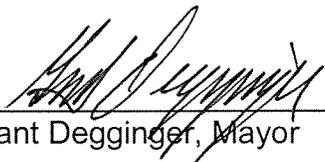
**Notice of abatement.**

Notice of the nuisance shall be mailed to the owner as such owner's name appears upon the records of the county treasurer and at the address shown thereon, or, if no owner or address is shown upon such records, a copy of the notice shall be posted upon the property. The notice shall describe the property involved, the nature of the hazardous condition constituting the nuisance and require the owner to make such trimming, removal or destruction and state that in the event of the owner's failure to do so, the city will cause the trimming, removal or destruction of such nuisance and that the cost thereof shall be borne by the owner of the property and become a lien against the property.

Section 3. This ordinance shall take effect and be in force thirty (30) days after passage by the City Council.

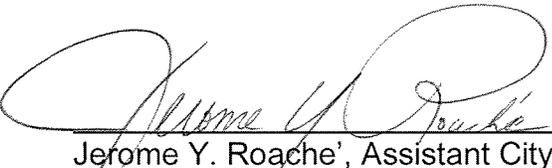
Passed by the City Council this 31st day of July, 2006 and signed in authentication of its passage this 31st day of July, 2006.

(SEAL)

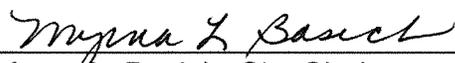
  
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Grant Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

  
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Jerome Y. Roache, Assistant City Attorney

Attest:

  
\_\_\_\_\_  
Myrna L. Basich, City Clerk

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