0881-ORD
08/01/06

ORIGINAL

CITY OF BELLEVUE, WASHINGTON

ORDINANCE NO. 5689

AN ORDINANCE amending the Bellevue City Code to declare rodent infestation as a condition constituting a public nuisance; amending Section 9.10.030 of the Bellevue City Code; and establishing an effective date.

WHEREAS, the presence of rodents, such as rats and mice, on property within the City can cause a threat to public health due to the spread of disease from rodents; and

WHEREAS, the Bellevue City Code does not currently grant the City authority to abate the presence of rodents on property within the City; and
WHEREAS, King County Board of Health Rules and Regulations No. 06-01 defines a "rodent infestation" as the presence of rodents on a premises as determined by the Director of the King County Board of Health to constitute a threat to the public health; and

WHEREAS, the following amendment to the Bellevue City Code will enable the City to implement enforcement and abatement measures for the protection of public health due to the presence of rodents upon a determination by the King County Board of Health that a rodent infestation exists on property within the City; and

WHEREAS, the City of Bellevue has complied with the State Environmental Policy Act (SEPA), Chapter 43.21C RCW, and the City's Environmental Procedures Code, BCC 22.02; now, therefore,

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

Section 1. Section 9.10.030 of the Bellevue City Code is hereby amended as follows:

9.10.030 Types of nuisances.

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 Chapter 1.18 BCC, 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

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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 is 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 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.

G. The presence of rodents on any premises causing a threat to the public health, as determined by the Director of the Seattle-King County Department of Public Health pursuant to King County Board of Health Rules and Regulations No. 06-01 as adopted or hereafter amended.

Section 2. This ordinance shall take effect and be in force thirty (30) days after adoption and legal publication.

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Passed by the City Council this 7th day of August, 2006 and signed in authentication of its passage this 7th day of August, 2006.

(SEAL)

Grant Degginger, Mayor

Approved as to form:

Lori M. Riordan, City Attorney

Mary Kate Berens, Deputy City Attorney

Attest:

Myrna L. Basich, City Clerk

Published August 11, 2006