

SEE 321

ORDINANCE NO. 365

AN ORDINANCE AMENDING SECTION 2, ITEM (b), AND SECTION 4 OF ORDINANCE NO. 321, RELATING TO VEGETATION, LITTER, AND JUNK.

WHEREAS: The Town of Yacolt, Washington, in regular session this 20<sup>th</sup> day of May, 1996:

WHEREAS: All members had notice of time, place, and purpose of said meeting:

NOW THEREFORE: BE IT ORDAINED BY THE TOWN COUNCIL OF YACOLT, WASHINGTON.

Section 2, paragraph (b) of Ordinance No. 321 shall read:

b) Upon failure of the property owner to comply with the Order of Abatement, the Town official shall present for Town Council consideration a Resolution which instructs the property owner to remove or destroy the vegetation, litter, or junk within twenty (20) days following adoption of the Resolution. Such Resolution shall contain the street address and legal description of the real property on which the vegetation, litter, or junk is found, shall describe the violation thereon, and shall notify the property owner that failure to comply with the abatement directions therein shall result in abatement action by the Town, with the costs thereof to become a charge against the property owner. If the order of abatement requires the removal of any trees, plants, shrubs, grass, weeds, or vegetation, or parts thereof, and if the owner fails to remove or destroy them, the Town will cause the removal or destruction thereof and the cost shall become a charge against the owner of the property and a lien against the property in accordance with RCW 35.21.310. The owner of the property shall be given not less than five (5) days written notice of presentation of the proposed Resolution to the Town Council, and shall be given an opportunity to speak at the Town Council meeting regarding the Resolution.

Section 4 of Ordinance No. 321 shall read:

Section 4: Town may remove/destroy vegetation, litter and junk. If, after the expiration of twenty (20) days from the adoption of the Resolution referred to in Section 2(b) above, the vegetation, litter, or junk has not been removed or destroyed in accordance with the direction in the Resolution, the Town official shall remove or destroy the vegetation, litter or junk and the cost of removal or destruction, along with the Town's reasonable costs of enforcement under this Ordinance, shall become a charge against the property owner. If the Town is required to remove any trees, plants, shrubs, grass, weeds, or vegetation, or parts thereof, the cost shall become a charge against the property owner and a lien against the property in accordance with RCW 35.21.310. The lien shall be in a

similar form and shall be filed, enforced and foreclosed in the same time and manner as provided by law for liens for labor and material.

EFFECTIVE DATE: This Ordinance shall take effect on the 20th day of May, 1996, upon adoption and publication according to law.

Passed by the Town Council of the Town of Yacolt, Washington, this 20th day of May, 1996.

AYES Council Members: Kaski, Messer, Robertson, Smith

NAYS Council Members: none

ABSENT Council Members: none

MAYOR [Signature] Attest: Irene Christiansen

I hereby certify that this is a true and correct copy of Ordinance No. 365, as read before the Council and passed on the date mentioned above and passed according to law.

ATTEST Irene Christiansen, Irene Christiansen, Clerk/Treasurer