



City of Medical Lake Planning Department
124 S. Lefevre St.
Medical Lake, WA 99022
509-565-5000
www.medical-lake.org

STAFF REPORT TO THE CITY COUNCIL

File: Periodic Update: MLMC Enforcement

Date of Staff Report: December 30, 2025

Date of City Council Workshop: January 6, 2026

Date of City Council Hearing: February 3, 2026

Staff Planner: Elisa Rodriguez 509-565-5019 or erodriguez@medical-lake.org

SEPA: Likely Determination of Non-Significance. Determination to be made on or around January 12, 2026

60-Day Intent to Adopt: Submitted to the Department of Commerce on December 23, 2025

Procedure: This proposal does not require a review by the Planning Commission. The City Council may approve an ordinance after a public hearing and two reads of the ordinance.

Proposal: It is proposed to replace Medical Lake Municipal Code (MLMC) Sections 1.01.110 – 1.01.140 with a new Chapter, 1.21 – Compliance and Enforcement. MLMC Sections 1.01.110 – 1.01.140 briefly summarize the procedure for addressing violations of the Municipal Code. The proposed Chapter 1.21 – Compliance and Enforcement, provides a more defined process for violations that are considered civil infractions. Some violations are considered misdemeanors and that process is defined in Title 9 – Nuisances. The removing of four sections and the adding of a chapter triggers 55 MLMC sections to be amended to update citations.

Attached: Proposed Amendments to the Municipal Code.

PROPOSED AMENDMENTS TO THE MUNICIPAL CODE

Chapter 1.01 – Code Adoption

Background

This chapter was added to the municipal code in 1967 via Ordinance #348, and included Sections 1.01.04 – Definitions, 1.01.110 – Penalty for Violation, and 1.01.120 – Failure to Pay Fines, Costs.

In 1976, via Ordinance #469, Section 1.01.110 was amended.

In 1989, via Ordinance #700, Section 1.01.110 was amended to remove the fine and imprisonment amounts and add a citation to Section 9.01.020 – Penalty for Violation. Section 9.01.020 defines misdemeanors and gross misdemeanors.

In 1990, via Ordinance #723, Section 1.01.130 – Infraction – Penalty for Violation and Section 1.10.140 – Infraction – Failure to Respond or Comply were added. State legislation in 1987 provided the opportunity for jurisdictions to issue civil infractions in addition to criminal infractions.

In 2002, via Ordinance #918, one sentence was added to Section 1.01.130 – Penalty for Violation, stating that State assessments of infractions would be collected.

This Chapter gives limited guidance for processing violations of the municipal code. For this reason, it is proposed to be replaced with Chapter 1.21 – Compliance and Enforcement.

Proposed Amendments

1.01.040 Definitions and construction.

Unless the context otherwise requires, the following words and phrases when used in this code shall have the meaning and construction given in this section:

“City” means the City of Medical Lake.

“City Council” means the City Council of Medical Lake.

(1) —“Code” means the Medical Lake Municipal Code.

(2) —“County” means the county of Spokane.

(3) —“Oath” includes affirmation.

(4) —“Person” means any natural person, firm, association, joint venture, joint stock company, partnership, organization, club, company, corporation, business trust, or the manager, lessee, agent, servant, officer or employee of any of them.

(5) —“State” means the state of Washington.

(6) —“Town” means the town of Medical Lake.

(7) —“Town council” means the town council of the town of Medical Lake.

~~(8) — Gender. The masculine gender includes the feminine and neuter.~~

~~(9) — Number. The singular number includes the plural, and the plural the singular.~~

~~(10) — Tenses. The present tense includes the past and future tenses, and the future tense includes the present tense.~~

~~(11) — Shall, May. "Shall" is mandatory; "may" is permissive.~~

~~(12) — Title of office. The use of the title of any officer, employee, department, board or commission means that officer, employee, department, board or commission of the city of Medical Lake.~~

~~1.01.110 Penalty for violation:~~

~~Unless otherwise specifically provided for in this code, any person, firm or corporation, their agents or servants, who violates any of the provisions of this code shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by such fine or by such imprisonment or by both such fine and imprisonment set forth in Section 9.01.020 of this code.~~

~~1.01.120 Failure to pay fine, costs:~~

~~Upon the rendition of judgment against any defendant for violation of any ordinance of this city, the police justice or justice of the peace shall make an order and enter the same upon his docket, that if the defendant shall neglect or refuse to satisfy such judgment and costs of suit, he shall be confined in the town jail or other place of confinement provided for that purpose, and during such confinement he may be required to labor upon the streets or do other work for the town under the supervision and direction of the chief of police. Execution shall be issued immediately upon the rendition of judgment for that portion of such fine and costs not reduced by the application of this section. The amount of such fine and costs owing shall be the whole of such fine and costs reduced by the amount of any portion thereof paid and ten dollars for every day the defendant performs labor as provided herein and eight dollars for every day the defendant does not perform such labor while imprisoned.~~

~~1.01.130 Infraction-Penalty for violation:~~

~~Any person found to have committed an infraction as designated in this code shall be punished by a fine of not less than twenty-five dollars nor more than two hundred fifty dollars unless such other sum is set forth in the specific section of this code found to have been violated. In addition to any fine, there shall be assessed all sums required by the State of Washington for the commission of an infraction, regardless of the term used by the State of Washington in establishing said sums, which assessment(s) shall not be waived or suspended by the court.~~

~~1.01.140 Infraction-Failure to respond or comply:~~

~~Any person who fails to respond to a notice of infraction issued by the city shall be guilty of a misdemeanor regardless of the finding with regard to the originally issued notice of infraction. Any person who fails to comply with any order of the municipal court of the city arising from the issuance of a notice of infraction shall be guilty of a misdemeanor regardless of the finding with regard to the originally issued notice of infraction.~~

Chapter 1.21 – Compliance and Enforcement

Background

Staff researched the enforcement process contained in many municipal codes, both local and across the state. This information was reconciled with State law and current methods used by the Medical Lake Code Enforcement Officer to arrive at the proposed language.

Proposed Language

Section 1.21.010 – Purpose.

Section 1.21.015 - Applicability

Section 1.21.020 – Authority.

Section 1.21.030 – Severability.

Section 1.21.040 - Definitions

Section 1.21.050 – Administration.

Section 1.21.060 – Identification of a Violation.

Section 1.21.070 – Obligations of persons responsible for code violation.

Section 1.21.080 – Determination of compliance.

Section 1.21.090 – Violation Notice

Section 1.21.100 – Stop work order.

Section 1.21.110 – Civil Infraction.

Section 1.21.120 – Voluntary compliance agreement

Section 1.21.130 – Abatement.

Section 1.21.150 – Cost recovery.

Section 1.21.160 – Collection of civil penalties, fees, and costs.

Section 1.21.010 – Purpose.

The purpose of this Chapter is to set forth the compliance and enforcement procedures for Medical Lake Municipal Code Titles 4 through 19.

Section 1.21.015 – Applicability.

This chapter shall be applicable to all violations of this code and to violations of regulations and Washington state statutes that are incorporated into this code by reference or otherwise, except for violations that are expressly designated to be misdemeanors or gross misdemeanors. Any violation of this code to which this chapter applies is deemed and declared to be a Class II civil infraction unless such violation is expressly designated as another class of civil infraction.

Section 1.21.020 – Authority.

The City of Medical Lake has been given authority to enforce its municipal code through the Revised Code of Washington, including RCW 9.66.010 (nuisances), RCW 7.48 (nuisances), RCW 7.60 (receivers), RCW 7.80 (civil infractions), and RCW 35A.21.160 (abatement).

Section 1.21.030 – Severability.

This Title and the various parts thereof are hereby declared to be severable. Should any Chapter or Section of this Title be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Title as a whole, or any portion thereof other than the Chapter or Section so declared to be unconstitutional or invalid.

Section 1.21.040 – Definitions.

“Chronic Nuisance Property” means a property on which three (3) or more nuisance activities occur or exist during any sixty (60) day period.

“Civil Infraction” means a violation of the City of Medical Lake Municipal Code for which a monetary penalty may be imposed under this Chapter. Each day or portion thereof during which a violation occurs or exists shall be deemed a separate civil infraction.

“Misdemeanor” is defined in MLMC Chapter 9.52 – Gross misdemeanor and misdemeanor crimes.

“Nuisance” means a nuisance as defined by state law or local ordinance including MLMC Chapter 9.10 – Nuisances, occurring around or near the property.

“Owner” means any person having any interest in the real estate in question as indicated in the records of the office of the Spokane County auditor, or who establishes under this Chapter, their ownership interest therein.

“Property” means any building, lot, parcel, dwelling, rental unit, real estate or land or portion thereof including property used as residential or commercial property.

“Responsible Person” means any person, in actual or constructive possession of a property, including, but not limited to, an owner, occupant, agent, or property manager of a property under his/her control.

Section 1.21.050 – Administration.

- A. In order to discourage public nuisances and otherwise promote compliance with MLMC provisions, the City may, in response to field observations, determine that violations have occurred or are occurring.
- B. The procedures set forth in this Chapter are not exclusive. These procedures shall not, in any manner, limit or restrict the City from remedying or abating violations of MLMC Titles 4 through 19 in any other manner authorized by law.
- C. In addition to, or as an alternative to, utilizing the procedures set forth in this Chapter, the City may seek legal or equitable relief to abate any conditions or enjoin any acts or practices which constitute a MLMC violation.

- D. In addition to, or as an alternative to, utilizing the procedures set forth in this Chapter, the City may assess or recover civil penalties accruing pursuant to this Chapter or law by legal action filed in municipal court or superior court.
- E. The City shall use all reasonable means to determine and proceed against the Responsible Person(s) for a MLMC violation occurring when the Property Owner has not directly or indirectly caused the violation.
- F. The provisions of this Chapter shall in no way adversely affect the rights of an Owner, or Responsible Person of any Property to recover all costs and expenses incurred and required by this Chapter from any Responsible Person causing such violation.
- G. In administering the provisions for MLMC compliance, the City shall have the authority to waive any one or more such provisions so as to avoid substantial injustice. For purposes of this Chapter, substantial injustice may not be based exclusively on financial hardship.
- H. The City may, upon presentation of proper credentials, with the consent of the Owner or Responsible Person, or pursuant to a lawfully issued court order, enter at reasonable times any Property subject to the consent or court order to perform the duties imposed by the MLMC. It is the intent of the City Council that any entry made to private property for the purpose of inspection for MLMC violations be accomplished in strict conformity with constitutional and statutory constraints on entry, and the holdings of the relevant court cases regarding entry. The right of entry authorized by this Chapter shall not supersede those legal constraints.
- I. The City may request that the sheriff's office, fire district, health district, or other non-City agency assist in enforcement.

Section 1.21.060 – Identification of a Violation.

- A. The City shall determine, based upon information derived from sources such as field observations, the statements of witnesses, relevant documents, and data systems for tracking violations and applicable City codes and regulations, whether a violation has occurred. As soon as the City has reasonable cause to determine that a violation has occurred, the violation shall be documented and the Responsible Person for the violations promptly notified. The City shall not be required to notify any Person when it determines that no violation has occurred, unless specifically requested in writing. If the Responsible Person is given a verbal warning, this must be followed by a written notice. The Responsible Person shall be notified by one of the following methods:
 - 1. Violation Notification. As established in MLMC Section 1.21.090 – Violation Notice.
 - 2. Stop Work Order. As established in MLMC Section 1.21.100 – Stop Work Order.
 - 3. Civil Infraction. In instances of repeat violation cases or cases that are already subject to a voluntary compliance agreement, a civil infraction may be issued without a further violation notification as required herein as established in MLMC Section 1.21.110 – Civil Infraction.

Section 1.21.070 – Obligations of Responsible Persons for code violation.

It shall be the responsibility of any Person identified as responsible for a MLMC violation to bring the Property or right-of-way into a safe and reasonable condition to achieve MLMC compliance. Payment of penalties, applications for permits, and acknowledgment of stop work orders do not substitute for

performing the corrective work required and having the Property brought into compliance to the extent reasonably possible under the circumstances. The Responsible Person for a MLMC violation has a duty to notify the City in writing of any actions taken to achieve compliance.

Section 1.21.080 – Determination of compliance.

After issuing a violation notice, stop work order, or civil infraction, and after the Responsible Person(s) for a violation has come into compliance, the City shall issue a written determination of compliance. The City shall mail copies of the determination of compliance to each Person originally named in the violation notice, stop work order, or civil infraction.

Section 1.21.090 – Violation Notice

- A. Authority. When the City has reason to believe, based on investigation of documents and/or physical evidence, that a MLMC violation exists or has occurred, the City is authorized to issue a violation notice to any Responsible Person for a MLMC violation. The City shall make a determination whether or not to issue a violation notice within a reasonable period after determining such violation exists.
- B. Effect. A violation notice represents a determination that a violation has occurred, the party to whom the notice is issued is a Responsible Person for a MLMC violation, and that the violations identified require remedies as specified therein.
- C. Service. Service of a violation notice shall be made on a Responsible Person for a MLMC violation by one or more of the following methods:
 - 1. Personal service or hand delivery may be made by presenting the violation notice to the Responsible Person for the MLMC violation or by leaving a copy of the violation notice at the Person's house of usual abode with a person of suitable age and discretion who resides there. For corporations and business entities, in-person service shall be on the registered agent as listed in the records of the Washington State Secretary of State; or
 - 2. Mail service may be made by mailing the violation notice to the Responsible Person for the MLMC violation at the last known address, at the address of the violation, or at the address of the registered agent as shown in the records of the Washington State Secretary of State for corporations and business entities; or
 - 3. If personal or mail service is not possible, other methods may be pursued.

Section 1.21.100 – Stop work order.

- A. Authority. When the City finds that work is being done that requires prior approval, or the work being done is not within the scope of the approval received, or public safety is at risk, the City is authorized to issue a stop work order to any Responsible Person for a MLMC violation.
- B. Effect. A stop work order represents a determination that a MLMC violation has occurred or is occurring, and that any work or activity that caused, is causing or contributing to the violation on the Property where the violation has occurred, or is occurring, must cease. A stop work order requires the immediate cessation of the specified work or activity on the Property. Work activity may not resume unless specifically authorized in writing by the City.

- C. Issuance. The stop work order shall be in writing, posted on the site, and be given to the Owner of the Property, the Owner’s authorized agent, or the Person performing the work pursuant to Section 1.21.090.
- D. Penalties. A stop work order is accompanied by a fee in accordance with and as set forth by resolution of the City Council for the City of Medical Lake.
- E. Appeal. The stop work order may be appealed by following the procedures contained in MLMC 19.290 – Appeals.
- F. Willful Violation. When a Responsible Person willfully violates a stop work order, the City may pursue further remedies, including misdemeanor charges as provided by law.
- G. Issued Permits. In instances where there is an issued permit or approved review, the City may choose to suspend, revoke, or modify the permit or review at the expense of the applicant or Responsible Person.
- H. Obtaining Permits. In instances where work is being done without the benefit of an issued permit or approved review, the Responsible Person must submit the required information and fees necessary to obtain such permit or review.

Section 1.21.110 – Civil Infraction.

A Civil Infraction may be issued when a violation notification, stop work order, or voluntary compliance agreement has not been addressed by the Responsible Person, or it has become a Chronic Nuisance. Civil infractions for MLMC violations shall be imposed for remedial purposes, pursuant to the following schedule, or as determined by the City Council for the City of Medical Lake:

Violation	Penalty Amount
Class IV Civil Infraction	\$25
Class III Civil Infraction	\$50
Class II Civil Infraction	\$125
Class I Civil Infraction or Chronic Nuisance Properties	\$250

Section 1.21.120 – Voluntary compliance agreement

- A. Authority:
 - 1. Whenever the City determines that a MLMC violation has occurred or is occurring, the City shall make reasonable efforts to secure voluntary compliance from the Responsible Person for such violation. Upon contacting the Responsible Person for the MLMC violation, the City may enter into a voluntary compliance agreement as provided for in this Title.
 - 2. A voluntary compliance agreement may be entered into at any time after a violation notice, stop work order, or civil infraction has been issued.
 - 3. Upon entering into a voluntary compliance agreement, a Responsible Person for a MLMC violation waives the right to administratively appeal, and thereby admits that the conditions described in the voluntary compliance agreement existed and constituted a MLMC violation.
 - 4. The voluntary compliance agreement is not a settlement agreement.

- B. Contents. The voluntary compliance agreement is a written, signed commitment by the Responsible Person for a MLMC violation in which the Responsible Person agrees to abate the violation, remediate the site, and/or mitigate the impacts of the violation.
- C. Failure to meet terms: If the terms of the voluntary compliance agreement are not completely met, and an extension of time has not been granted, in the City's sole discretion, the Responsible Person for the violation may receive a civil infraction.

Section 1.21.130 – Abatement.

- A. Emergency Abatement. Whenever a condition constitutes an immediate threat to the public health, safety, or welfare or to the environment, the City may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the Responsible Person for the violation as soon as reasonably possible after the abatement.
- B. Judicial Abatement. The City may seek a judicial abatement order from the Spokane County Superior Court to abate a condition which continues to be a violation of the MLMC where other methods of remedial action have failed to produce compliance.
- C. Recovery. The City shall seek to recover the costs of abatement as authorized by this Chapter or applicable law.

Section 1.21.150 – Cost recovery.

If a Civil Infraction is issued, the City may recover the costs of pursuing MLMC compliance and/or abatement to correct such violation(s) against the Responsible Person. These costs may include:

- A. Reasonable Legal Fees and Costs. Reasonable legal fees and costs shall include, but are not limited to, legal fees and costs, both direct and related, incurred to enforce the provisions of this Chapter as may be allowed by law;
- B. Administrative Personnel Costs. Administrative personnel costs shall include, but are not limited to, administrative employee costs, both direct and related, incurred to enforce the provisions of this Title;
- C. Abatement Costs. The City shall keep an itemized account of costs incurred by the City in the abatement of a violation under this Title; and
- D. Actual expenses and costs of the City in preparing notices, specifications, and contracts; in accomplishing or contracting and inspecting the work; and the costs of any required printing, mailing, or court filing fees.

Section 1.21.160 – Collection of civil penalties, fees, and costs.

- A. The City may use the services of a collection agency in order to collect any civil penalties, fees, costs, and/or interest owing under this Chapter.
- B. In addition to, or in lieu of, any other state or local provision for the recovery of costs, the City may, after abating a violation pursuant to this Chapter, file for record with the Spokane County Auditor a claim of lien against the real property for the civil penalties, fees, and costs assessed pursuant to this Chapter and in accordance with any lien provisions authorized by state law.

- C. Any lien filed shall be subject to priority pursuant to state law, including but not limited to RCW 35A.21.405, as now adopted or hereafter amended. Any such claim of lien may be amended from time to time to reflect changed conditions. Any such lien shall bind the affected real property for the period as provided by state law.

Citation Amendments in Titles 2 through 19

The Municipal Code was audited for anything related to code enforcement. This audit brought to light many sections of the code that need to be revisited. One example is violations that are misdemeanors. It is possible, that with the advent of civil infractions in 1987, some of these misdemeanors should be changed to civil infractions. Another example are sections or chapters that are no longer being implemented due to organizational changes. It is possible that these sections or chapters should be revised on a larger scale, not just the code enforcement portion. Due to the complexity of the above, these proposed amendments are only to amend citations to reflect the deleted and added chapters in Title 1.

2.78.070 - Penalty for violation.

Any person, firm or corporation violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in ~~Section 1.01.110 of this code~~ *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes*. Each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted shall be a separate offense.

4.01.400 - Penalties for violation.

(A) Violations of, or failure to comply with, any provision of this chapter, shall constitute a civil infraction ~~to be prosecuted in the Medical Lake Municipal Court. Any person found to have violated any provision of this chapter shall be punished~~ by the imposition of a monetary penalty of not more than one hundred dollars for each such violation. *Procedures for addressing a violation are contained in MLMC Chapter 1.21 – Compliance and Enforcement*. ~~Each day that a violation continued shall constitute a new and separate infraction.~~

(B) The imposition of a penalty for violation of this chapter shall be in addition to any other penalties provided for in any other ordinance or resolution of the city or any other applicable ordinances, laws or regulations and any premises upon which a business is operated in violation of this chapter is declared to be a public nuisance.

(C) Upon conviction of a violation of this chapter, the Medical Lake Municipal Court may as an additional penalty, enjoin any person so convicted from operating the business which is the subject of the violation until such time as the violation has been corrected.

(D) Failure to respond to a citation issued pursuant to this chapter and/or failure to pay any monetary penalty imposed pursuant to this chapter and/or failure to comply with any order of the Medical Lake Municipal Court pursuant to this chapter shall be a misdemeanor punishable in accordance with *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.01.110 of this code~~. As

an additional penalty, the Medical Lake Municipal Court may order that the business involved be immediately shut down and precluded from further operations until the matter has been resolved.

(E) The city shall not enter into any contract nor conduct any trade or commerce with any business which fails to comply with this chapter.

4.04.050 - Penalty for violation.

Any person or persons violating any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be punished according to *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.01.110~~.

4.16.160 - Violations—Penalties.

Any person who engages in any activity taxable under this chapter without first having filed the declaration of intent required by Section 4.16.070, or any person who willfully fails to make and file when due any return required by this chapter, or any person who willfully fails to keep the books and records required by this chapter, or any person who fails to produce books and records for inspection and audit at the time and place required by this chapter, is guilty of a misdemeanor and upon conviction thereof shall be punished in accordance with the provisions of *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.01.110 of this code~~. Each day of any such violation constitutes a separate offense.

4.20.090 - Penalties.

Any person, firm or corporation subject to this chapter who fails or refuses to apply for an occupation license or to make the tax returns or to pay the tax when due, or who makes any false statement or representation in or in connection with any such application for an occupation license or such tax return, or otherwise violates or refuses or fails to comply with this chapter, shall be guilty of a misdemeanor subject to the penalties set forth in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~MLMC 1.01.110~~.

4.30.170 - Violation—Penalty.

A. Unlawful to Sponsor or Participate in an Event Without a Permit. It is unlawful for any person to sponsor or conduct a special event requiring a special event permit pursuant to this chapter unless a valid permit has been issued for the special event. It is unlawful for any person to participate in such an event with the knowledge that the sponsor of the special event has not been issued a required, valid permit.

B. Unlawful to Exceed Scope of Permit. The special event permit authorizes the permittee/sponsor to conduct only such an event as is described in the permit, and in accordance with the terms and conditions of the special event permit. It is unlawful for the permittee/sponsor to willfully violate the terms and conditions of the special event permit, or for any special event participant with knowledge thereof to willfully violate the terms and conditions of the special event permit.

C. Violation is a Civil Infraction. Any person or organization violating the provisions of this chapter is guilty of a civil infraction punishable by a fine pursuant to *MLMC Chapter 1.21 – Compliance and*

~~**Enforcement.** Section 1.01.130. Each day or portion of a day in which a violation is committed constitutes a separate offense.~~

5.04.180 - Suspension of service-Credit for vacancies.

(a) Service to any premises may be suspended for nonpayment of accounts. Such suspension shall not relieve the person owing such account of the duty of complying with the provisions of this chapter. Such suspension shall render the premises where such service is suspended subject to condemnation for sanitary reasons, and the owner or occupant thereof shall be subject to the penalties in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.01.110~~.

(b) The appeal provisions of Section 12.02.050 shall apply to all disputed bills.

(c) As an additional and concurrent method of enforcing a lien of the city for garbage charges, the city clerk-treasurer is authorized and directed, at the end of fifteen days after the date of the first delinquency of garbage charges, to order the cut-off of the water services to the premises where such services are provided until such time as all such garbage charges, plus penalties in the sum of fifteen percent of the unpaid charges, plus interest at the maximum rate per year permitted by law upon such unpaid charges and penalties as of the date of suspension of services together with the additional sum as set by council resolution for turning the domestic water on, have been paid.

(d) Credit for vacancies will be allowed only when the city clerk-treasurer's office is notified in accordance with Chapter 12.02 of this Code and the vacancy must be for thirty days or more.

5.04.200 - Penalty for violations.

Any person who violates or fails to comply with any of the provisions of this chapter or who counsels, aid or abets any such violation or failure to comply shall be guilty of a misdemeanor and upon conviction thereof shall be punished as provided in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.01.110 of this Code~~. Each day's violation shall be deemed a separate violation.

5.08.050 - Litter in general.

(a) No person shall throw, drop, deposit, discard or otherwise dispose of litter upon any street, alley, sidewalk or any other public place in the city or upon a private residence or other private property not owned by him, or in any waters within the jurisdiction of the city whether from a vehicle or otherwise except:

(1) When such property is designated by the state or by any of its agencies or the city for the disposal of garbage and refuse, and such person is authorized by the proper public authority to so use such property; or

(2) Into a letter receptacle or other container in such manner that the litter will be prevented from being carried away or deposited by the elements upon any part of said public place, private residence or other private property; or

(3) When such person is the owner or does have control or custody of the property, or has prior consent of the owner or tenant in lawful possession of such property, or unless the act is done under

the personal direction of said owner or tenant and provided said litter will not cause a public nuisance or be in violation of any other state or local laws, rules or regulations.

(b) Penalty. A violation of the provisions of this section shall constitute a civil infraction and the fine for each such violation shall be as set forth in *MLMC Chapter 1.21 – Compliance and Enforcement Section 1.01.130 of this code*. In addition thereto, in the sound discretion of the court, the violator may be directed by the court to pick up and remove from any public place or any private residence or other property, with permission of the legal owner or other person having legal possession, upon which it is established by competent evidence that such person has deposited litter, any and all litter deposited thereon by anyone prior to the date of the execution of the order.

5.08.060 - Placement of litter receptacles.

(1) Litter receptacles shall be placed in all parks, trailer parks in respect to the service of transient habitation, gasoline service stations, tavern parking lots, shopping centers, grocery store parking lots, marinas, boat launching areas, beaches, bathing areas and other such public places in numbers appropriate to need as specified by state regulation.

(2) It shall be the responsibility of any person owning or operating any establishment of public place in which litter receptacles are required by this section to procure and place and maintain such litter receptacles at his own expense on the premises in accord with such state regulations.

(3) Penalty. A violation of the provisions of this section shall be a civil infraction subject to a fine as set forth in *MLMC Chapter 1.21 – Compliance and Enforcement Section 1.01.130 of this Code* for each day of violation.

5.08.230 - Penalties.

A violation of this chapter for which no penalty is specifically provided within the specific section violated shall be a civil infraction punished by a fine for each such violation as set forth in *MLMC Chapter 1.21 – Compliance and Enforcement Section 1.01.130 of this code*. Each day that such violation continues shall be considered a separate offense.

5.14.020 - Violation of parking rules-Penalty.

Any person, firm, corporation or association failing to abide by the rules and regulations regarding parking in or adjacent to city parks or playground facilities, including but not limited to the requirement to pay fees, shall have committed an infraction which shall be punished in accordance with the provisions of *MLMC Chapter 1.21 – Compliance and Enforcement Sections 1.01.030 through 1.01.140 of the Medical Lake Municipal Code*.

7.01.060 - Penalty.

Any person who violates any provisions of this chapter shall be guilty of an infraction. The penalty shall be as set forth in *MLMC Chapter 1.21 – Compliance and Enforcement Section 1.01.130 of Medical Lake Municipal Code*.

7.02.010 - Animal control infractions.

Any person who commits any of the following acts shall be guilty of an *civil* infraction *as in accordance with MLMC Chapter 1.21 – Compliance and Enforcement*:

- (1) Allow or permit a dog or other animal to enter any place where food is stored, prepared, served, or sold to the public or any public building or hall. This shall not apply to Seeing-Eye or hearing dogs, veterinary offices or hospitals, show dogs, animal exhibitions, organized animal training classes, dogs used by armor car services, or other special cases as may be authorized by the city council;
- (2) Allow or permit a female dog in heat to be accessible to male dogs except by male dogs specifically and intentionally admitted by said female's owner for breeding purposes;
- (3) Allow or permit a dog or other animal to howl, yell, whine, bark, or make other noise which disturbs the public peace and quiet. This offense applies to dog or animal owners and to owners or occupiers of premises whereon the dog or other animal is kept or harbored;
- (4) Allow or permit a dog or other animal or fowl, except a domestic cat, to run at large from the building or premises where it is harbored whether licensed or not. This section shall not apply to the following: a person walking or exercising a dog or other animal in public, when such dog or animal is on a leash, tether or chain not longer than eight feet; a blind person using a Seeing-Eye dog or a deaf person using a hearing dog; or any animal safely and securely confined or completely controlled while in or upon any vehicle;
- (5) Harbor, own or maintain any swine or goats penned or otherwise, within eight hundred feet of any dwelling within the city limits.

7.02.020 - Property damage.

No owner or custodian of any animal may cause or permit the animal to enter upon and do damage to any public park or place or the private property of another to the injury or annoyance of the owner or occupant of said premises. Violation of this section shall constitute a civil infraction punishable by a fine in accordance with *MLMC Chapter 1.21 – Compliance and Enforcement* ~~Section 1.01.130~~.

7.05.010 - Infractions—Civil.

Failure to perform any act required or the performance of any act prohibited under this title, except as otherwise specifically designated, shall be a civil infraction *in accordance with MLMC Chapter 1.21 – Compliance and Enforcement* and may not be classified as a criminal offense. The city council shall by resolution set penalties for civil infractions.

7.05.020 – Notice of infraction.

~~A law enforcement officer, including an animal control officer, has authority to issue a notice of animal control infraction when the infraction is committed in the officer's presence or if an officer investigating a complaint has reasonable cause to believe that a violation has occurred and that the person or persons to be cited are responsible for the violation. A court may issue a notice of animal control infraction upon receipt of a written statement of the officer or of another person of facts~~

showing reasonable cause to believe a violation has occurred and that person or persons to be cited were responsible for the violation:

~~7.05.030 – Form of notice of infraction.~~

~~A notice of animal control infraction represents a determination that an infraction has been committed. The determination shall be final unless contested as provided in this chapter. Notices shall include at least the following statements:~~

- ~~(1) The notice represents a determination that an animal control infraction has been committed by the person named in the notice and that the determination will automatically become final unless contested;~~
- ~~(2) The infraction is a noncriminal offense and no imprisonment may be imposed for the infraction itself;~~
- ~~(3) Specification of the infraction and statement of monetary penalty;~~
- ~~(4) Statement of rights relating to hearing or option of forfeiture of the penalty;~~
- ~~(5) The city must prove that the named person committed the infraction by a preponderance of the evidence if a hearing is requested;~~
- ~~(6) The named party may subpoena witnesses, including the citing officer at the hearing;~~
- ~~(7) The named party must deliver to the court clerk a written request for hearing within seven calendar days of the date the notice is issued;~~
- ~~(8) A statement, to be signed by the named party, promising to respond by either requesting a hearing or paying the infraction penalty within seven calendar days;~~
- ~~(9) Statement that failure to respond timely may be punished by a criminal fine and imprisonment.~~

~~7.05.040 – Response—Contest—Failure to appear.~~

~~Persons receiving notices of infraction must respond in seven calendar days of the date the notice is issued by either delivering to the court clerk a completed form requesting a hearing, as provided on the response portion of the citation, or by paying the civil penalty in accordance with the established schedule, submitting with payment a copy of the response portion of the citation. Persons who properly and timely complete and deliver to the court clerk a request for a hearing shall be promptly thereafter notified by the court of a time and date for the hearing. The hearing must be at least seven calendar days after a timely request unless otherwise set by mutual agreement. Upon failure to timely respond or failure to appear at a duly scheduled hearing, the court shall enter an order assessing a monetary civil penalty as provided herein, in addition to any applicable criminal sanctions. Failure to appear or respond shall be criminal offense punishable by a penalty of not less than ten dollars nor more than one thousand dollars and imprisonment of one year, or both.~~

~~7.05.050 - Hearings.~~

~~Requested hearings shall be before the Medical Lake municipal court, without a jury. The court may consider the notice of animal control infraction and any other written report under oath submitted by the officer who issued the notice or whose written statement was the basis of the issuance of notice, in lieu of the officer's personal appearance. The person charged may subpoena witnesses, including the citing or reporting officer to present evidence and cross-examine witnesses. The city shall be required to prove its case by preponderance of the evidence. The court shall enter an order finding the infraction committed or not committed and if committed assess the civil penalty provided for by the city council by resolution. If the immediate full payment of a penalty is not possible, the court may in its discretion, order a limited extension of time to pay and/or substitute a suitable obligation of community service for all or any portion of the penalty.~~

7.13.040 - Violations.

A violation of any provision of this chapter shall be a civil infraction *in accordance with MLMC Chapter 1.21 – Compliance and Enforcement*, subject to a civil penalty as follows:

1. First violation: Fifty dollars, plus statutory costs and assessments.
2. Second offense: One hundred dollars, plus statutory costs and assessments.
3. Third: One hundred fifty dollars, plus statutory costs and assessments.
4. Each subsequent: Two hundred fifty dollars, plus statutory costs and assessments, which the court shall not mitigate.
5. When an individual is issued a citation for the civil infraction, he or she should be provide with deer, elk and moose no feeding educational materials.

8.10.020 - Penalty for violation.

A violation of any of the provisions of this Chapter shall be a civil infraction subject to the penalties provided in *MLMC Chapter 1.21 – Compliance and Enforcement* ~~Medical Lake Municipal Code Section 1.01.130.~~

8.32.050 - Violation notice.

Violation notices shall be issued in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.

~~(a) The code enforcement officer is authorized to issue and serve a notice of violation upon reasonable belief that a violation of one or more provisions of this chapter has occurred.~~

~~(b) The notice of violation shall be issued to the property owner of record upon which land a vehicle is deemed to be in violation of this chapter is located, as shown by the last equalized assessment roll, and to the last registered and legal owner of record of such vehicle. The last legal and registered owner need not be notified if the vehicle is in such condition that identification numbers are not available to determine ownership.~~

~~(c) The notice of violation may be served by means of personal service, or by mailing by certified mail return receipt requested, a copy of the notice of violation to the person(s) responsible for the violation to his/her last known mailing address as determined by the code enforcement officer. Proof of service shall be made by a written declaration under penalty of perjury by the person affecting the service, declaring the date, time, place and manner of service.~~

~~(d) The notice of violation shall contain substantially the following information:~~

~~(1) The name and address of the person to whom the notice of violation is issued;~~

~~(2) The location of the subject property by address or other description sufficient to identify the subject property;~~

~~(3) A description of the vehicle and its location;~~

~~(4) The reasons the city deems it to be a public nuisance violation of this chapter;~~

~~(5) A description of the corrective action necessary to eliminate the violation;~~

~~(6) Notification that the corrective action must be completed within fifteen days from the date of service of the notice of violation;~~

~~(7) Notification that failure to correct the violation within the fifteen days will result in the issuance of a notice of civil infraction that will be filed with the Medical Lake Municipal Court and that the offender may be subject to civil penalties for each day of violation as well as court costs and a requirement to abate the nuisance at his/her cost.~~

8.32.060 - Notice of civil infraction.

A civil infraction shall be issued in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.

~~If the corrective action set forth in the notice of violation is not completed within the fifteen days, the code enforcement officer is authorized to issue a notice of civil infraction, on a form approved by the court, directing the person responsible for the violation to respond to the Medical Lake Municipal Court. Such notice of infraction shall be filed with the Medical Lake Municipal Court and the provisions of the Infraction Rules for Courts of Limited Jurisdiction (IRLJ) shall apply.~~

8.32.070 - Abatement—Costs—Liens.

Abatement shall be handled in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.

~~(a) Emergency Abatement. Whenever a condition, the continued existence of which constitutes an immediate threat~~

~~to public health, safety or welfare or the environment, is found to exist, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.~~

~~(b) Judicial Abatement. The city may seek a judicial abatement order from Spokane County Superior Court, as deemed necessary, to abate a condition which continues to be a violation of this chapter where other methods of remedial action have failed to produce compliance.~~

~~(c) The costs, including incidental expenses, of abating the violation shall be billed to the person responsible for the violation and shall become due and payable to the city within ten calendar days after the date of the billing. The term incidental expenses includes, but is not limited to, personnel costs, both direct and indirect and including attorney's fees; costs incurred in documenting the violation; hauling, storage and disposal expenses; and actual expenses and costs incurred by the city in preparing notices, specifications and contracts, and in accomplishing and/or contracting and inspecting the work; and the costs of any required printing, mailing, posting and service of process. All such costs shall constitute a lien on the property on which the violation was committed and may be subject to collection following a court judgment. Such a lien shall be substantially in accordance with the provision regarding mechanic's liens in RCW 60.04, and said lien shall be foreclosed in the same manner as such liens.~~

~~(d) The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for state and local taxes, with which it shall share priority. The city may cause a claim for lien to be filed for record within ninety days from the later of the date the monetary penalty is due to the date the work is completed or the nuisance is abated. The claim of lien shall contain sufficient information regarding the notice of violation, a description of the property to be charged with the lien, the owner of record, and the total of the lien. Any such claim of lien may be amended from time to time to reflect changed conditions. Any such lien shall bind the affected property for the period provided for by state law.~~

~~(e) The vehicle shall be disposed of to a licensed motor vehicle wrecker or hulk hauler with notice to the Washington State Patrol and the State Department of Licensing that the vehicle has been wrecked. Any vehicle or part thereof impounded pursuant to this chapter shall be processed in accordance with the laws of the state of Washington.~~

~~(f) Costs of removal will not be assessed against the legal owner of the vehicle if the owner in the transfer of ownership of the vehicle has complied with RCW 46.12.101.~~

8.32.100 - Penalty.

A violation of the provisions of this chapter shall constitute a Class 1 civil infraction under the provisions of RCW subject to a penalty to be assessed in accordance with MLMC *Chapter 1.21 – Compliance and Enforcement* ~~Section 1.08.010~~. For a second violation of this chapter within a twenty-four-month period, the court shall not reduce the penalty below one hundred twenty-five dollars plus statutory assessments; for a third or subsequent violation of this chapter within a twenty-four-month period, the court shall not reduce or suspend any portion of the maximum penalty.

9.10.070 - Abatement procedure.

Abatement shall be handled in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.

(1) Whenever a nuisance exists as defined in this chapter, the city may proceed by a suit in equity in the superior court of Spokane County to enjoin and abate it in the manner provided by law; or it may elect to enforce the provisions of this chapter by complaint and summons or warrant in the Medical Lake municipal court.

(2) Whenever, in any action brought in the municipal court, it is established that a nuisance exists as defined in this chapter, the court shall, together with the fine or penalty imposed, if any, enter an order of abatement as a part of the judgment in the case, which order shall direct either of the following:

(a) That the nuisance be abated or removed by the defendant, within the time limited by the court, not to exceed thirty days; or

(b) That the nuisance may be abated by the city at the cost of the defendant, in which case the court shall inquire into and estimate as nearly as may be possible the sum necessary to defray the expense of the abatement, and assess and enter it as a part of the penalty imposed, and the sum shall be a part of the judgment in the case, and shall be collected and enforced in the same manner that fines and costs are by law collected and enforced.

9.10.080 – Disposition of abatement moneys:

All moneys collected for abatement purposes, as provided in this chapter, shall be separately stated and itemized by the clerk of the police court in his report to the city treasurer and shall be credited by the city treasurer and shall be credited by the city treasurer to the department or division of the city government which shall be actually employed in the abatement of the nuisance.

9.10.200 - Penalties.

Any violation of the provisions of this chapter shall be a class 1 civil infraction subject to a penalty as set forth in RCW 7.80 *and in accordance with MLMC Chapter 1.21 – Compliance and Enforcement*. Each day a violation continues shall be deemed to be a separate offense.

9.11.090 - Violation—Penalty.

Every person who violates any of the provisions of this chapter shall have committed an infraction punishable by a fine pursuant to *MLMC Chapter 1.21 – Compliance and Enforcement* Section 1.01.130 of the Medical Lake Municipal Code.

9.13.040 - Operation on sidewalks prohibited.

No person shall operate a skateboard or bicycle on any sidewalk in the central business district of the city of Medical Lake. Violation of this section shall constitute a Class 1 civil infraction *in accordance with MLMC Chapter 1.21 – Compliance and Enforcement*, subject to the statutory penalty and all state assessments.

9.13.090 - Penalty and forfeiture.

Enforcement procedures will be in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.

(a) The first violation of this section shall constitute a Class 3 civil infraction, subject to the statutory penalty and all state assessments.

(b) The second violation of this section shall constitute a Class 2 civil infraction, subject to the statutory penalty and all state assessments. In addition, the court may order the vehicle forfeited.

(c) The third and all subsequent violations of this chapter shall constitute a Class 1 civil infraction, subject to the statutory penalty and all state assessments. In addition, the court may order the vehicle forfeited.

9.20.010 - False alarms-Prohibited.

(a) No person may willfully tamper with, damage, or interfere with any wire, switch, telephone, radio, or other equipment or apparatus of any public or private alarm system.

(b) No person may willfully and without reasonable grounds give or send any false alarm of fire or other emergency, including shouting to, a public place.

(c) No person may intentionally activate any alarm system, for the purpose of summoning emergency response personnel, except in the event of an actual or attempted criminal activity or other actual emergency necessitating emergency response personnel response, and no person notifying emergency response services of an activated alarm and having knowledge that such activation was apparently caused by an electric or other malfunction of the alarm system may fail at the same time to notify the emergency response personnel of such apparent malfunction.

(d) No alarm system user may cause or allow more than two false alarms to occur within any calendar year period.

(e) No person may provide alarm system monitoring service to the user of an automatic alarm system without maintaining a verification process as provided in Section [9.20.070](#).

(f) A violation of subsections (a) through (c), inclusive, is a misdemeanor. A violation of subsection (d) or (e) is a civil infraction. *Civil infraction procedures will be in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.*

11.08.180 - Violations.

Any person violating the provisions of this chapter shall be subject to all enforcement actions and penalties contained in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~City of Medical Lake Municipal Code Section 1.01.110~~.

11.12.020 - Penalty for violation.

Violation of the provisions of this chapter shall constitute a civil infraction punishable by a fine as set forth in *MLMC Chapter 1.21 – Compliance and Enforcement* ~~Section 1.01.130~~.

12.04.090 - Unauthorized use of water—Penalty.

Any firm, person, association or corporation who knowingly takes or uses city water without first contracting for same shall be guilty of a misdemeanor and upon conviction thereof shall be punished

as provided in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes Section 1.01.110 of this code.*

12.04.195 - Water conservation and rationing.

(a) Restrictions upon Use of Water. In order to protect the health, safety, and welfare of the citizens of the city by providing for maintenance of an adequate water supply, the city council may, by resolution, determine that a water shortage exists and may, by such resolution, restrict and regulate the use of water from the city's water supply system.

(b) Posting or Resolution. When the council adopts such a resolution restricting and regulating the use of water, it shall cause such resolution to be posted in three public places in the city, including the lobby of the city hall.

(c) Termination of Water Service for Noncompliance. Should any owner or occupant or other person in charge of any premises served by the city's water system willfully fail to comply with the restrictions on water use imposed by the resolution provided for in subsection (a) of this section then the city may terminate water service to the premises during the period such restrictions are in force or until such time as the city receives reasonable assurance from such owner, occupant or other person in charge of the premises that the restrictions in force will be observed for said premises.

(d) Penalty for Violation. Restrictions adopted by resolution in accordance with subsection (a) of this section, and posted in accordance with subsection (b) of this section, shall have the full force and effect of law and any person, firm or corporation who willfully violates such restrictions is guilty of a misdemeanor, and upon conviction thereof shall be punished as provided in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes Section 1.01.110 of this code.*

12.04.197 - Restrictions on residential irrigation.

(a) Residential irrigation shall be prohibited between the hours of ten a.m. and seven p.m. during the months of June, July, August and September. Exceptions will be made for newly planted lawns.

(b) Any person, firm or corporation who violates the provisions of this section shall be subject to the following penalties:

(1) First violation: written warning;

(2) Second violation: civil infraction pursuant to *MLMC Chapter 1.21 – Compliance and Enforcement Section 1.01.130*;

(3) A third or subsequent violation of this section shall be a misdemeanor.

(c) In addition, water service may be terminated under the provisions of Section 12.04.190(c).

14.04.040 - Administration.

The building code of the city shall be administered and enforced by the ~~code enforcement~~ *building* department.

14.04.050 - ~~Code enforcement~~ *Building* department—Administrative authority.

The ~~code enforcement~~ *building* department of the city shall be deemed to be the "building official" as defined in Chapter 2 of the 2015 International Building Code. The ~~code enforcement~~ *building* department shall also be deemed "administrative authority," as such term is defined in Chapter 2 of the 2015 Uniform Plumbing Code, for purposes of enforcing and administering the provisions of the 2015 Uniform Plumbing Code. The ~~code enforcement~~ *building* department shall also enforce and administer the standards set forth in the Regulations for Barrier Free Facilities as published by the Washington State Building Code Council for making buildings and facilities accessible to, and usable by, the physically handicapped.

14.04.110 - Building permit—Sidewalk and curbing prerequisites.

No building permit shall be issued unless the application for such building permit includes the construction of curbs and sidewalks if required by MLMC Section 11.20.035 where the same are not already in existence. Requirements for the installation of curbs and sidewalks placed upon special uses as provided for in Title 17 of this code shall be determined on an individual basis by the permit granting authority. In any case where the ~~code enforcement officer~~ *building official* shall determine that existing curbs and sidewalks are inadequate by reason of deterioration, damage or obsolescence, each application for new construction in any of the building classification zones shall include the construction of new curbs and sidewalks.

When new construction requires curbs and/or sidewalks, the area between the existing street surface and the new curb shall be paved with an impervious surface acceptable to the city public works department. This area is not to be considered as off-street parking.

14.04.100 - Penalty for violations.

Notwithstanding the provisions of Section 114 of the International Building Code, any person, firm or corporation violating any of the provisions of this chapter is guilty of a misdemeanor and upon conviction thereof shall be punished as provided in *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.10.110 of this code.~~

Each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued, or permitted shall be a separate offense.

14.04.110 - Building permit—Sidewalk and curbing prerequisites.

No building permit shall be issued unless the application for such building permit includes the construction of curbs and sidewalks if required by MLMC Section 11.20.035 where the same are not already in existence. Requirements for the installation of curbs and sidewalks placed upon special uses as provided for in Title 17 of this code shall be determined on an individual basis by the permit granting authority. In any case where the ~~code enforcement officer~~ *building official* shall determine that existing curbs and sidewalks are inadequate by reason of deterioration, damage or obsolescence, each application for new construction in any of the building classification zones shall include the construction of new curbs and sidewalks.

When new construction requires curbs and/or sidewalks, the area between the existing street surface and the new curb shall be paved with an impervious surface acceptable to the city public works department. This area is not to be considered as off-street parking.

14.12.310 - Penalty for violation.

Any person, firm or corporation violating any of the provisions of this chapter is deemed guilty of a misdemeanor and shall be punished according to *MLMC Chapter 9.52 – Gross Misdemeanor or Misdemeanor Crimes* ~~Section 1.01.110~~.

14.16.110 - Enforcement.

A. Enforcement of the provisions of this chapter will be performed in accordance with *MLMC Chapter 1.21 – Compliance and Enforcement* ~~Chapter 1.01~~.

B. No responsible person may violate or fail to comply with any provisions of this chapter. Each responsible person commits a separate offense for each and every day they commit, continue or permit a violation of any provision of this chapter.

C. All responsible persons or structure owner for a commercial space are jointly and severally responsible with respect to that commercial space for compliance with the provisions of this chapter and for any payments that they may be required to make to the city under this chapter. If the commercial space is subject to a lease, the city shall have discretion to determine whether to enforce this chapter against the responsible person, structure owner, or leasing party, or all of them, but the city shall consider in this determination whether the lease provides that the compliance with this chapter is the responsibility of the responsible person, structure owner, or leasing party.

14.28.020 - Conformance required.

No person shall construct, establish or operate a new mobile home park, or make additions, extensions, or modifications to an existing mobile home park, unless plans and specifications fully describing said new mobile home park or said additions, extensions or modifications to an existing mobile home park have first been submitted to and approved by the planning commission of the city and the Spokane County health district. The planning commission approval shall be based upon the standards contained or incorporated in this chapter. Any proposed deviations from said approved plans and specifications must first be approved in writing by the planning commission of the city. In addition, a mobile home permit shall be obtained from the *building official* ~~code enforcement officer~~ in accordance with Chapter 14.32 of the Medical Lake Municipal Code prior to the occupancy of any new or relocated mobile home in a mobile home park.

14.28.030 - Plans and specifications—Submittal required for permit.

The *building official* ~~code enforcement officer~~ shall not issue a permit for a mobile home park unless complete plans and specifications fully describing said mobile home park and any additions, extensions, or modifications thereto, have been submitted to and approved by the planning commission of the city.

14.28.050 - Permit revocation.

The ~~building official code enforcement officer~~ shall suspend or revoke the permit of a mobile home park whenever, in the opinion of the ~~building official code enforcement officer~~, the continued operation of the mobile home park would create a hazard to the health of the occupants of the park or the people of the city.

14.28.120 - Inspection.

The ~~building official code enforcement officer~~ is authorized and directed to make such inspections, examinations, or investigations of mobile home parks as are necessary to determine satisfactory compliance with the provisions of this chapter. For the purposes of such inspection, the ~~building official code enforcement officer~~ shall have free access at all reasonable times to all mobile home parks, buildings, grounds, or premises.

14.28.350 - Electrical and communication lines.

All electrical and communication system lines shall be installed and maintained underground in accordance with national or local codes unless the installing utility company or mobile park owner/agent can demonstrate undue hardship because of surface rock, existing underground utilities, home pads, patios, sidewalks, and other barriers to construction that in the opinion of the ~~building official code enforcement officer~~ are cause for a postponement of this requirement, until significant improvements, such as underground utilities or other major changes are made in the mobile home park.

14.32.030 - Additions and alterations—Building permit required.

There shall be no addition of a mobile home without first obtaining a building permit from the city. A modified plot plan showing setbacks, skirting, supports or extensions of a permanent foundation, and the location of all accessory structures or buildings, shall be submitted and approved by the ~~building official code enforcement officer~~ prior to the issuance of the building permit.

14.32.050 - Sites outside mobile home park—Permit required.

No mobile home shall be moved onto a lot inside or outside of a mobile home park without having first obtained a mobile home permit from the ~~building official code enforcement officer~~.

14.32.060 - Application and permit issuance.

Mobile home permits for siting mobile homes shall be issued by the ~~building official code enforcement officer~~ upon the submittal and approval of an application on the form provided by the ~~building official code enforcement officer~~ together with required supporting documents demonstrating compliance with applicable sections of this code and payment of a prescribed fee.

16.03.090 - Enforcement.

If a property owner or agent commences work without the benefit of a required zoning permit, *the violation will be dealt with in accordance with MLMC Chapter 1.21 – Compliance and Enforcement.* ~~the code enforcement officer will provide, in writing, a stop work order.~~ The property owner or agent

~~will be given the option to undo any unapproved development or apply for a zoning permit. If the property owner or agent does not comply, procedures of MLMC Chapter 1.01, Code adoption, will be followed.~~

17.39.040 - Violation.

A violation of any provision of this chapter shall be a civil infraction, punishable by a fine in an amount as set forth in *MLMC Chapter 1.21 – Compliance and Enforcement* ~~Section 1.01.130 of the Medical Lake Municipal Code~~. In addition to the imposition of a civil penalty, the Medical Lake municipal court may order compliance with the provisions of this chapter or removal of any sign, which violates the provisions of this chapter. Failure to respond to a civil notice of infraction or to comply with the court's order or to pay a civil penalty shall be a misdemeanor, punishable in accordance with Section 9.01.020 of the Medical Lake Municipal Code.