

**TOWN OF EATONVILLE
PLANNING COMMISSION AGENDA
Monday, February 2nd, 2015 – 7:00 P.M.
COMMUNITY CENTER
305 CENTER STREET WEST**

Call to Order

Roll Call: Beach ___ Bertioia ___ Craig ___ Justice ___ Lambert ___ Miller ___

Town Staff Present: Mayor Schaub, Kerri Murphy and Doug Beagle

Pledge of Allegiance

Approval of the Agenda:

Approval of Minutes: January 5th, 2015

Election of Officers:

Communications and Announcements:

From Public:

From Commissioners:

Old Business: "DRAFT" *Junk Vehicles Nuisance* code changes

Public Comments:

Staff Comments:

Commissioner Comments:

Next Meeting: TBD.

**Town of Eatonville
PLANNING COMMISSION MEETING
Monday, January 5th, 2015
COMMUNITY CENTER
305 CENTER STREET WEST**

DRAFT

CALL TO ORDER

CO-Chairman Justice called the meeting to order at 7:00 PM.

ROLL CALL

Present: **Commissioners** Beach, Bertoia, Craig and Justice. Commissioners Lambert and Miller were excused.
STAFF PRESENT: Mayor Schaub, Kerri Murphy and Doug Beagle.

OPENING CEREMONIES

Commissioner Craig led the Pledge of Allegiance.

APPROVAL OF AGENDA

Commissioner Beach move to approve the agenda. **Commissioner Bertoia** seconded. All in favor. (AIF)

APPROVAL OF MINUTES

November 3, 2014. **Commissioner Beach** move to approve. **Commissioner Bertoia** seconded. AIF
November 17th, 2014 – **Commissioner Beach** move to approve. **Commissioner Craig** seconded. AIF
December 1st, 2014 – **Commissioner Beach** move to approve. **Commissioner Craig** seconded. AIF

ELECTION OF OFFICERS

Commissioner Beach nominated Commissioner Lambert for Chairman in 2015. Seconded by Justice. AIF
Commissioner Beach nominated **Commissioner Justice** as Co-Chairperson in 2015. Seconded by
Commissioner Craig. AIF
Commissioner Beach nominated **Commissioner Craig** as Secretary. Seconded by **Commissioner Bertoia**. AIF

COMMUNICATIONS OR ANNOUCEMENTS

There were no comments from the citizens or commissioners.

NEW BUSINESS

Review of Junk Vehicles

Town Administrator, Doug Beagle explained that the commissioners were being asked to review new information that has been provided by the town attorney. The town went to the attorney asking how it could get some teeth in the ordinance to help enforce the code. The code is not insufficient it is just in two different locations. The code being referenced is in Chapter 1.12 and needs to be read in conjunction with Chapter 8.08 when dealing with nuisance violations. Section 8.09.020 describes a junk vehicle. The problem being it must meet 3 out of the 5 violations and some of the violations may only meet 2. Included in the packet is the code for the City of Mukilteo junk vehicles and their list is more extensive than the towns. If you have any questions after you review the material please contact Doug Beagle, Mayor Schaub or Kerri Murphy.

Mayor Schaub explained that the town will be utilizing the Dispatch and information to the citizens that this is what the town is focusing on, you have 30 days and then the town will start enforcing nuisances throughout the town. The idea is to educate the citizens first, get people talking about it and hopefully citizens will act on their own within the 30 days.

Mr. Beagle said this is a time to do public outreach. We want to hear what the planning commissioners have to say.

Mayor Schaub added that another article that will be coming forth is that DOT is going to be changing the speed limits north of town on Meridian at the bridge at Lynch Creek to 40 mph. and then on Meridian South at the shops to Smallwood Park to 30 mph. and as the trail continues to grow and as we do more in Smallwood Park we hope to get the speed limit to 25 mph until you are outside town limits. We want to get it in the newspaper and let people know before they start issuing tickets.

Commissioner Beach under our ordinance under definitions, it says in A. "3 of the following criteria". The problem of getting three violations is the way that it's worded. There are 5 examples and all of those under #1, are just one violation the way that is worded. Commissioner Beach suggested that the list be broken out so that it was a list that said each one was a violation. The ordinance would not necessarily have to be re-written you would just have to change the way it says it and easily get your three. Commissioner Beach said he likes the Mukilteo code because it's not just junk vehicles, it nuisances and its junk and it has a definition of junk. He added that we just need to rethink a lot of this instead of breaking new ground. A junk vehicle under state law is three years or older. We need to work on the definition.

Mr. Beagle said that the town wants to do this in the most cost effective manner without creating a lot of work for the consultant and to the staff.

Commissioner Beach said he does not want to adopt the City of Mukilteo code just exactly the way it is but it has a number of suggestions that could be used. We might find out how effective they have been in enforcing their code. What have been their problems with their code, that would be useful information.

Mr. Beagle explained that when a letter is sent and the citizens come in we want to have something we can sink our teeth into. No different than if someone came in and wanted to put a sign up. We can show them the rules and regulations.

Commissioner Beach asked if all of these steps were necessary.

Mr. Beagle said he checked with the attorney and the town needs to follow these steps and they need to be tracked.

Commissioner Beach said he understands that there is a procedure and it has to be followed. He explained that he wanted to know if the steps in place are exceeding that minimal. The way it is written makes it more complex. He asked if we need as much verbiage to get at that.

Mr. Beagle said he would ask the question again of the attorney. He added that the town's attorney said per or code, we have to follow these steps.

Comments from citizens.

Dee Baublits, 333 N. Washington, Eatonville – asked what the population of Mukilteo is? It is larger than our town. Big brother is watching over us for so many things. A person's+ home is still their own and they ought to be able to do something with to it. She just wanted to caution the commissioners about that and asked them not to go overboard thing please. Can it depend on whether you have a complaint or not. If a neighbor complains then you act on it. We still have a right to do something's at our home.

There were no staff comments.

Commissioner Craig said he always wondered why we compare ourselves to towns that are so much larger than we are like Fife or Mukilteo. In the code from Mukilteo it has cars that are 3 years or older. He would not like this in the town's ordinance.

Mayor Schaub explained that this is from the RCW, its state law.

Commissioner Craig said that he knew this but does not agree with that. Most of us are driving vehicles that are over 3 years or older. Just have common sense, if it's missing a windshield and missing a motor...why are these other 5 not included in, why do they have to fall under one (1).

Mr. Beagle said it certainly doesn't have to be.

Commissioner Craig said that EMC Section 8.09.020 (A) 1 does not make any sense. He agreed with Commissioner Beach.

Mayor Schaub said that this is definitely one that we can look at and find out if that is within our right to add those as an additional criteria.

Commissioner Craig concurred with Commissioner Beach. It is all said there; it's how they are saying it. Maybe look at rewording it a little.

Mayor Schaub felt that having the 3 years or older would allow the town to have it as default and it's per state law.

ADJOURNMENT

Commissioner Beach motion to adjourn the meeting at 7:34 p.m. Commissioner Craig seconded. AIF

Co-Chairman Justice

Secretary David Craig

ATTEST:

Kerri Murphy-Recording Secretary

8.09 Purpose

The purpose of the ordinance codified in this chapter is to provide for the abatement and removal of junk vehicles on private property as provided for in RCW 46.55.240. Abatement is necessary to preserve and enhance the aesthetic character of the Town's neighborhoods, protect property values and rights and to reduce environmental health and safety problems associated with junk vehicles. Creating a harborage for rodents and insects and that such accumulation and storage is generally injurious to the health, safety and welfare of the community.

The purpose of this chapter is to provide a method for prevention and the elimination of these conditions, thereby helping preserve the beauty and quality of life for the citizenry of the Town of Eatonville.

8.09.020 Definitions

For the Purpose of this chapter, the following definitions apply:

A "Junk Vehicle" / "Nuisance Vehicle" is any vehicle which meets at least three of the following criteria:

1. Is extensively damaged, ~~such damage including, but not limited to, the following examples:~~
 - a. ~~Broken window or windshield;~~
 - b. ~~Flat tires;~~
 - c. ~~Missing tires, motor or transmission;~~
 - d. ~~Rusted exterior;~~
 - e. ~~Leaking oil or gasoline;~~
2. Is three years or older
3. Broken window or windshield;
4. Flat tires;
5. Missing tires, motor or transmission;
6. Rusted exterior;
7. Leaking oil or gasoline
8. Is apparently inoperable, meaning that a vehicle does not appear to comply with requirements for vehicle used on public streets with regard to brakes, lights, tires, safety glass or other safety equipment:
9. Has expired license tabs;
10. Has an approximate fair market value equal only to the approximate value of the scrap in it;
11. A vehicle illegally parked in the required front or side yard

B. "Enforcement officer" means the mayor, his or her designee, representative or a Town of Eatonville law enforcement official.

C. "Vehicle" shall include, but not limited to, automobiles, motorcycles, trucks, buses, motorized recreational vehicles, campers, travel trailers, boat trailers, utility trailers or other small devices capable of moving or being moved on the public right-of-way, shall also include parts of vehicles, but shall not include devices moved by human or animal power, or used exclusively upon stationary tracks (Ord 2011-11 2, 2010)

D. "Commercial Vehicle" means any vehicle, except recreational vehicles, vehicles displaying restricted plates, and government owned or leased vehicles, that is operated and registered in more than one jurisdiction and is used or maintained for the transportation of persons for hire, compensation, or profit, or is designed, used, or maintained primarily for the transportation of property and:

1. Is a motor vehicle having a declared gross weight in excess of twenty-six thousand pounds; or
2. Is a motor vehicle having three or more axels with a declared weight in excess of twelve thousand pounds; or
3. Is a motor vehicle, trailer, pole trailer, or semitrailer used in combination when the gross weight or declared gross weight of the combination exceeds twenty-six thousand pounds combined gross weight.

Commercial vehicles include trucks, tractors, truck tractors, road tractors, buses, trailers, pole trailers and semi-trailers.

E. "Recreational vehicles" means travel trailers, folding tent trailers, motor homes, truck campers removed from a truck or pickup, horse trailers, boat trailers with or without boats and utility trailers.

F. "Unauthorized vehicle" shall have the meaning set forth in RCW 46.55.010 and includes any part of such vehicle.



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[RCWs](#) > [Title 46](#) > [Chapter 46.55](#) > [Section 46.55.010](#)

Beginning of Chapter << [46.55.010](#) >> [46.55.020](#)

RCW 46.55.010

Definitions.

The definitions set forth in this section apply throughout this chapter:

(1) "Abandoned vehicle" means a vehicle that a registered tow truck operator has impounded and held in the operator's possession for one hundred twenty consecutive hours.

(2) "Immobilize" means the use of a locking wheel boot that, when attached to the wheel of a vehicle, prevents the vehicle from moving without damage to the tire to which the locking wheel boot is attached.

(3) "Abandoned vehicle report" means the document prescribed by the state that the towing operator forwards to the department after a vehicle has become abandoned.

(4) "Impound" means to take and hold a vehicle in legal custody. There are two types of impounds – public and private.

(a) "Public impound" means that the vehicle has been impounded at the direction of a law enforcement officer or by a public official having jurisdiction over the public property upon which the vehicle was located.

(b) "Private impound" means that the vehicle has been impounded at the direction of a person having control or possession of the private property upon which the vehicle was located.

(5) "Junk vehicle" means a vehicle certified under RCW [46.55.230](#) as meeting at least three of the following requirements:

(a) Is three years old or older;

(b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield, or missing wheels, tires, motor, or transmission;

(c) Is apparently inoperable;

(d) Has an approximate fair market value equal only to the approximate value of the scrap in it.

(6) "Master log" means the document or an electronic facsimile prescribed by the department and the Washington state patrol in which an operator records transactions involving impounded vehicles.

(7) "Registered tow truck operator" or "operator" means any person who engages in the impounding, transporting, or storage of unauthorized vehicles or the disposal of abandoned vehicles.

(8) "Residential property" means property that has no more than four living units located on it.

(9) "Suspended license impound" means an impound ordered under RCW 46.55.113 because the operator was arrested for a violation of RCW 46.20.342 or 46.20.345.

(10) "Tow truck" means a motor vehicle that is equipped for and used in the business of towing vehicles with equipment as approved by the state patrol.

(11) "Tow truck number" means the number issued by the department to tow trucks used by a registered tow truck operator in the state of Washington.

(12) "Tow truck permit" means the permit issued annually by the department that has the classification of service the tow truck may provide stamped upon it.

(13) "Tow truck service" means the transporting upon the public streets and highways of this state of vehicles, together with personal effects and cargo, by a tow truck of a registered operator.

(14) "Unauthorized vehicle" means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

- (a) Public locations:
 - (i) Constituting an accident or a traffic hazard as defined in RCW 46.55.113 Immediately
 - (ii) On a highway and tagged as described in RCW 46.55.085 24 hours
 - (iii) In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070 Immediately
- (b) Private locations:
 - (i) On residential property Immediately
 - (ii) On private, nonresidential property, properly posted under RCW 46.55.070 Immediately
 - (iii) On private, nonresidential property, not posted 24 hours

[2005 c 88 § 2; 1999 c 398 § 2; 1998 c 203 § 8; 1994 c 176 § 1; 1991 c 292 § 1; 1989 c 111 § 1. Prior: 1987 c 330 § 739; 1987 c 311 § 1; 1985 c 377 § 1.]

Notes:

Finding -- 1998 c 203: See note following RCW 46.55.105.

Construction -- Application of rules -- Severability -- 1987 c 330: See notes following RCW 28B.12.050.

Chapter 8.09
JUNK VEHICLES*

Sections:

- 8.09.010 Purpose.**
- 8.09.020 Definitions.**
- 8.09.030 Exemptions.**
- 8.09.040 Nuisance declared, violations.**
- 8.09.050 Enforcement.**
- 8.09.060 Investigation and notice of violation.**
- 8.09.070 Time to comply.**
- 8.09.080 Hearing.**
- 8.09.090 Municipal court order.**
- 8.09.100 Removal and disposal – Costs.**
- 8.09.110 Civil penalties.**
- 8.09.120 Additional relief.**

*Prior legislation: Ord. 90-19, formerly codified in Ch. 10.20 EMC.

8.09.010 Purpose.

The purpose of the ordinance codified in this chapter is to provide for the abatement and removal of junk vehicles on private property as provided for in RCW 46.55.240. Abatement is necessary to preserve and enhance the aesthetic character of the town's neighborhoods, protect property values and rights and to reduce environmental health and safety problems associated with junk vehicles. (Ord. 2010-11 § 2, 2010).

8.09.020 Definitions.

For the purposes of this chapter, the following definitions apply:

A. "Junk vehicle" is any vehicle which meets at least three of the following criteria:

1. Is extensively damaged, such damage including, but not limited to, the following examples:
 - a. Broken window or windshield;
 - b. Flat tires;
 - c. Missing tires, motor or transmission;
 - d. Rusted exterior;
 - e. Leaking oil or gasoline;
2. Is apparently inoperable, meaning that a vehicle does not appear to comply with requirements for vehicles used on public streets with regard to brakes, lights, tires, safety glass or other safety equipment;
3. Has expired license tabs;
4. Has an approximate fair market value equal only to the approximate value of the scrap in it;
5. A vehicle illegally parked in the required front or side yard.

B. "Enforcement officer" means the mayor, his or her designee, representative or a town of Eatonville law enforcement official.

C. "Vehicle" shall include, but not be limited to, automobiles, motorcycles, trucks, buses, motorized recreational vehicles, campers, travel trailers, boat trailers, utility trailers, or other similar devices

capable of moving or being moved on the public right-of-way, and shall also include parts of vehicles, but shall not include devices moved by human or animal power, or used exclusively upon stationary rails or tracks. (Ord. 2010-11 § 2, 2010).

8.09.030 Exemptions.

The provisions of this chapter shall not apply to:

A. A vehicle or part thereof that is completely enclosed within a building in a lawful manner, or otherwise parked legally on the property so as not to be visible from adjacent or nearby public property. Temporary tarp garages and carports do not satisfy this exemption;

B. A vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed vehicle dismantler or licensed vehicle dealer and is fenced in accordance with the provisions of RCW 46.80.130;

C. A vehicle enclosed in an opaque auto cover specifically designed to completely shield the vehicle from view as long as the vehicle is parked in a lawful manner on private property. The cover must be in good condition and must be replaced if it is torn, weather-beaten, or acquires any other defects. Tarps and makeshift covers do not meet the requirement. This exemption will apply to only two vehicles per legal lot. Vehicles stored on vacant or undeveloped land are not exempted by this subsection;

D. An individual's personal vehicle restoration of up to two vehicles on property is appropriate because such use is reasonably associated with the primary use of property. (Ord. 2010-11 § 2, 2010).

8.09.040 Nuisance declared, violations.

A. The storage or retention of junk vehicles on private property is declared a public nuisance which is subject to the enforcement, removal and abatement procedures in this chapter and as provided in state law.

B. It shall be unlawful for any person, firm or corporation to retain, place or store junk vehicles on private property, in conflict with or in violation of any of the provisions of this code.

C. Additional Violations. In addition to the above, it is a violation of this chapter to:

1. Remove or deface any sign, notice, complaint or order required by or posted in accordance with this chapter;

2. Fail to comply with any of the requirements of this chapter, including any requirement of the town's codes and state codes adopted by reference herein. (Ord. 2010-11 § 2, 2010).

8.09.050 Enforcement.

A. The enforcement officer shall have the authority to enforce this chapter. The enforcement officer may call upon the building, fire, planning and community development or other appropriate town departments to assist in enforcement.

B. This chapter shall be enforced for the benefit of the health, safety and welfare of the general public, and not for the benefit of any particular person or class of persons.

C. It is the intent of this chapter to place the obligation of complying with its requirements upon the property owner, occupier of the property, owner of the junk vehicle or other person responsible for the storage or retention of junk vehicles within the scope of this title.

D. No provision of or any term used in this chapter is intended to impose any duty upon the town or any of its officers or employees which would subject them to damages in a civil action. (Ord. 2010-11 § 2, 2010).

8.09.060 Investigation and notice of violation.

A. Investigation. The enforcement officer shall investigate the premises which he/she has probable cause to believe does not comply with the standards and requirements of this title.

B. Notice of Violation. If, after investigation, the enforcement officer determines that the standards or requirements of this title have been violated, the enforcement officer shall serve a notice of violation upon the property owner, tenant, vehicle owner, or other person responsible for the condition. The notice of violation shall contain the following information:

1. Name and address of the person(s) to whom the notice of violation is issued;
2. The location of the subject property by address or other description sufficient for identification of the subject property;
3. A description of the vehicle and its location;
4. A separate statement of each standard, code provision or requirement violated, and the reasons for which the town deems the junk vehicle(s) to be a public nuisance in violation of this chapter;
5. What corrective action, if any, is necessary to comply with the standards, code provisions or requirements;
6. A reasonable time for compliance which shall not be less than 60 days;
7. A statement that if the person(s) to whom the notice of violation is issued fails to complete the corrective action by the date required, the town or its designee shall remove, impound and dispose of the vehicle, and will assess all costs of administration and removal against the owner of the property upon which the vehicle is located or otherwise attempt to collect such costs against the owner of the vehicle;
8. A statement that the owner of the land on which the vehicle is located may appear in person at the hearing and present a written statement in time for consideration at the hearing, and deny responsibility for the presence of the junk vehicle on the land, with his/her reasons for denial.

C. Service. The notice shall be served on the owner, tenant, vehicle owner or other person responsible for the condition by personal service, registered mail, or certified mail with return receipt requested, addressed to the last known address of such person. If, after a reasonable search and reasonable efforts are made to obtain service, the whereabouts of the person(s) is unknown or service cannot be accomplished and the enforcement officer makes an affidavit to that effect, then service of the notice upon such person(s) may be made by:

1. Publishing the notice once each week for two consecutive weeks in the town's official newspaper; and
2. Mailing a copy of the notice to each person named on the notice of violation by first class mail to the last known address as shown on the official Pierce County assessor's parcel data, or if unknown, to the address of the property involved in the proceedings.

D. Posting. A copy of the notice shall be posted at a conspicuous place on the property, unless posting the notice is not physically possible.

E. Amendment. A notice or order may be amended at any time in order to:

1. Correct clerical errors; or
2. Cite additional authority for a stated violation.

F. Withdrawal. The town may choose to withdraw a notice of violation at any time, without prejudice to the town's ability to reissue it, if a certificate of compliance has not been obtained for the specific violations. (Ord. 2010-11 § 2, 2010).

8.09.070 Time to comply.

A. Determination of Time. When calculating a reasonable time for compliance, the enforcement officer shall consider the following criteria:

1. The type and degree of violation cited in the notice;
2. The stated intent, if any, of a responsible party to take steps to comply;
3. The procedural requirements for obtaining a permit to carry out corrective action;

4. The complexity of the corrective action, including seasonal considerations; and
5. Any other circumstances beyond the control of the responsible party.

B. A copy of the notice may be recorded against the property with the Pierce County auditor. The enforcement officer may choose not to file a copy of the notice or order if the notice or order is directed only to a responsible person other than the owner of the property. (Ord. 2010-11 § 2, 2010).

8.09.080 Hearing.

A. The property owner, tenant, vehicle owner or other person responsible for the violation may appeal the notice of violation by requesting such appeal of the notice within 15 calendar days after service of the notice. When the last day of the period so computed is a Saturday, Sunday, or federal or town holiday, the period shall run until 5:00 p.m. on the next business day. The request shall be in writing, and upon receipt of the appeal request by the enforcement officer, he/she shall forward the request to the municipal court judge.

B. If a request for a hearing is received, a notice giving the time, location and date of the hearing shall be mailed, by certified mail, with a five-day return receipt requested, to the owner of the land as shown on the county assessor records and the legal owner of the vehicle, unless the vehicle condition is such that identification numbers are not available.

C. The owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement for consideration, and deny responsibility for the presence of the vehicle, with the reasons for denial. If it is determined that the vehicle was placed on the property without the consent of the landowner and that the landowner has not acquiesced in its presence, then the cost of removal shall not be assessed against the landowner.

D. At or after the appeal hearing, the municipal court judge may:

1. Sustain the notice of violation and require that the vehicle be removed at the request of the enforcement officer after a date certain, and that the junk vehicle be disposed of by a licensed vehicle wrecker or tow truck operator, with notice to the Washington State Patrol and the Department of Licensing that the vehicle has been wrecked;
2. Withdraw the notice of violation;
3. Continue the review to a date certain for receipt of additional information;
4. Modify the notice of violation, which may include an extension of the compliance date, and/or determine that the owner of the property is not responsible for the costs of removal, pursuant to subsection C of this section. (Ord. 2010-11 § 2, 2010).

8.09.090 Municipal court order.

A. Unless mutually agreed to by the appellant and the court, the order of the court shall be served upon the person to whom it is directed, either personally or by mailing a copy of the order to such person at his/her last known address as determined by the enforcement officer within 15 calendar days following the conclusion of testimony and hearings and the closing of the record.

B. Proof of service shall be made by a written declaration by the person effecting the service, declaring the time and date of service and the manner by which service was made.

C. The municipal court, in affirming the enforcement officer's notice of violation and abatement, may assess administrative costs or costs related to the abatement of the violator's vehicle. The court may also order the refund of hearings fees to parties deemed not responsible for the violation.

D. If it is determined at the hearing that the vehicle was placed on the land without the consent of the landowner and that he or she has not subsequently acquiesced in its presence, then the municipal court's order shall not assess costs of administration or removal of the vehicle against the property upon which the vehicle is located or otherwise attempt to collect the cost from the landowner. (Ord. 2010-11 §

2, 2010).

8.09.100 Removal and disposal – Costs.

A. Commencing 45 calendar days after service of the notice of violation and abatement, if no appeal has been filed, or 15 calendar days after the issuance of an order from the municipal court resulting in authority to remove, the enforcement officer shall supervise the removal and disposal of the vehicle or part thereof. The enforcement officer will provide notice to the Washington State Patrol and the Washington State Department of Licensing that the vehicle has been processed in accordance with the laws of the state of Washington.

B. The town's costs related to the removal of the junk vehicle may be collected from the registered owner of the vehicle(s) if the identity of the owner can be determined, unless the owner, in the transfer of ownership, has complied with RCW 46.12.101. Alternatively, the cost may be collected from the owner of the property on which the vehicle has been stored. (Ord. 2010-11 § 2, 2010).

8.09.110 Civil penalties.

A. In addition to any other sanction or remedial procedure which may be available, any person, firm or corporation violating or failing to comply with any of the provisions of this chapter shall be subject to a cumulative civil penalty in the amount of \$100.00 per day for each violation from the date set for compliance until compliance with the order is achieved.

B. The penalty imposed by this section may be collected by civil action brought in the name of the town. The enforcement officer may notify the town attorney in writing of the name of any person subject to the penalty, and the town attorney may, with the assistance of the enforcement officer, take appropriate action to collect the penalty. (Ord. 2010-11 § 2, 2010).

8.09.120 Additional relief.

The enforcement officer may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes or will constitute a violation of this title when civil penalties are inadequate to effect compliance. (Ord. 2010-11 § 2, 2010).