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Skagit County Auditor

\$76.00

8/30/2016 Page

1 of

4 2:18PM

After Recording Return to:  
Skagit County Planning and Development Services  
1800 Continental Place  
Mount Vernon WA 98273

### Certificate of Non-Compliance

Recorded By: **Skagit County, a political subdivision of the State of Washington**  
Skagit County Planning & Development Services  
1800 Continental Place  
Mount Vernon WA 98273

Property Owner: Christopher Freitas

Legal Description: DR 80; LOT 7, REPLAT BIG LAKE WATER FRONT TRACTS LOTS 122-127; EXCEPT THE WEST 330 FEET OF SAID LOT 7 AS MEASURED ALONG THE SOUTH LINE AND MEASURED PARALLEL WITH THE WATER LINE; ALSO EXCEPT A STRIP OF LAND 60 FEET WIDE, THE CENTERLINE OF WHICH IS AN EXISTING ROAD ON OR NEAR THE SOUTHEAST CORNER OF SAID LOT 7 AND EXTENDING FROM THE COUNTY ROAD TO THE NORTH LINE OF THE NE1/4 SW1/4 OF SECTION 7, TWP 33, RNG 5

Address of Violation: 19376 W. Big Lake Blvd, Mount Vernon 98274

Assessor's Property No(s): P78692

Code Enforcement Case No: CE08-0134

Skagit County Planning and Development Services has found the property described above in non-compliance with Skagit County Code Title 14 or 15, or both, pursuant to the attached Notice and Order to Abate. The property owner has been notified. This Certificate of Non-Compliance will remain in effect until compliance is achieved and a release is recorded.

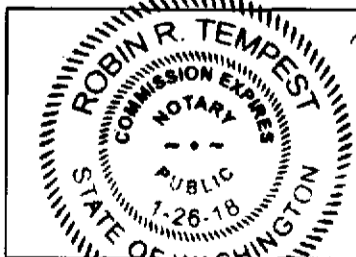
I, Sandra Perkins, hereby certify that the information above is correct to the best of my knowledge.

Sandra Perkins  
Code Compliance Officer

8/26/16  
Date

I certify that I know or have satisfactory evidence that Sandra Perkins is the person who appeared before me, and said person acknowledged that she signed this instrument, on oath stated that she was authorized to execute the instrument and acknowledged it as the Code Compliance Officer of Skagit County Planning & Development Services to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: 8-26-16



(Notary seal or stamp above)

Robin R. Tempest  
Signature of Notary Public

Robin R. Tempest  
Printed Name of Notary Public

My appointment expires 1-26-18



# Administrative Order to Abate Violation

Planning & Development Services · 1800 Continental Place · Mount Vernon WA 98273  
voice 360-336-9410 · www.skagitcounty.net/planning

Case Number  
**CE08-0134**

### Property Owner

Name Christopher Freitas Mailing Address 19376 West Big Lake Blvd.  
City Mount Vernon Zip 98274 Phone \_\_\_\_\_

### Additional Responsible Persons

No additional persons known

Name \_\_\_\_\_ Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ Zip \_\_\_\_\_ Phone \_\_\_\_\_

### Site of Violation

Same as Owner Mailing Address

Address \_\_\_\_\_ City \_\_\_\_\_ Zip \_\_\_\_\_  
Parcel No(s) P78692 Zoning Rural Reserve

### Background

The Administrative Official has issued the following findings of fact relating to code violations on your property:

1. On August 6, 2008, a Code Enforcement case was opened regarding the construction of a deck at the above address, without a permit. Site visits were conducted.
2. On August 14, 2008, building permit # BP08-0734 was applied for. On Sept. 9, 2008, Planner/Geologist John Cooper sent a letter to the above property owner stating, "Critical areas approval has been denied until such time that the provisions of the protected critical area agreement and mitigation plan are completely met." No further information was received from property owner, and in 2011 BP08-0734 expired.
3. In August 2015, during a review of expired building permits, BP08-0734 was identified as not issued and the required inspections on the completed deck, not performed. A contact letter was sent to the property owner, requiring a new building permit be applied for by September 30, 2015. This deadline was extended to December 31, 2015. As of February 8, 2016, no building permit has been applied for.

### Description of Violation(s)

Based on our investigation, the Administrative Official has found you in violation of the following specific provision(s) of Skagit County Code.

Violation:

**SCC 15.04 and IBC 105.1.** Construction shall not occur without first making application and obtaining the required building permit. Your construction of decks without a permit violates these code sections.

### Corrective Action Ordered

You are hereby ordered to take the following action to abate the above violations:

Correction:

Provide a completed application, including fees, for a building permit for your decks and any other unpermitted construction by **March 10, 2016**, and obtain the required permit inspection approval up to current stage of construction **90 days** from the date your building permit is approved; or remove or dismantle the structures by **March 10, 2016**.

## Civil Penalties

*You are hereby ordered to pay the following civil penalties:*

- \$100 per day, per violation, from date violation occurred until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(a)
- For flood hazard violation, \$1000 per day per violation from date violation occurred until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(c)
- For critical areas or drainage violations, the amount of \_\_\_\_\_. SCC 14.44.330(2)(b)

*If you do not take the corrective action described above to abate the violations by the specified deadlines, you will be liable for the following additional civil penalties:*

- \$100 per day, per violation, until the violation is abated and you have notified the Administrative Official. SCC 14.44.330(2)(a)
- For flood hazard violation, \$1000 per day per violation. SCC 14.44.330(2)(c)
- For critical areas or drainage violations, the amount of \_\_\_\_\_. SCC 14.44.330(2)(b)

*Due to a new and separate violation within one year of resolution of prior violation:*

- All penalties normally imposed are doubled. SCC 14.44.330(2)(d)

## Disclosures

**Voluntary Compliance Agreement.** The County and the violator may enter into a binding Voluntary Compliance Agreement to correct the violation by a specified deadline with a reduction or waiver of civil penalties. Contact the Department for more information. SCC 14.44.310.

**Reduction in civil penalties.** The Administrative Official may reduce a civil penalty if the violator cooperates with efforts to correct the violation. SCC 14.44.330(2)(e).

**Failure to comply with this order.** If you do not fully comply with this order by the deadlines, Skagit County may do the following:

- Issue supplemental orders to pay accrued civil penalties. SCC 14.44.330(3)(b).
- Refer unpaid civil penalties to a collection agency 30 days after service of this order. Per RCW 19.16.500, Skagit County may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred or to be incurred. SCC 14.44.330(3)(c).
- Record a certificate of non-compliance against your property, which may make it difficult to sell your property.
- Refer this matter to the Prosecuting Attorney's office for further enforcement action including criminal charges, an injunction, or the collection of civil penalties.
- If you do not fully correct the violation, Skagit County may do the work itself. Any County costs incurred to abate the violation(s) may be charged as a public nuisance lien against your property. A public nuisance lien may violate the terms of your real estate loan and Deed of Trust or Mortgage. It may cause your lender to start foreclosure proceedings against your property. If you have any questions about that, please contact your lender.

### Additional Disclosures.

- You may have to pay additional enforcement fees equal to 100% of the cost of the application fees, and 200% of the cost of critical areas fees, for any permits required by code enforcement actions. Resolution R20110111.
- Skagit County may deny any other permits you apply for on the same site until the violation is corrected and payment of any civil penalties is complete. SCC 14.44.360
- If you commit a new and separate violation within a year after the resolution of a prior violation, you may be subject to double the civil penalties normally imposed for such violation. SCC 14.44.330(2)(d).

**Effective date.** This order is effective upon service. Service is the date of mailing via certified mail. SCC 14.44.220(2)(e) and (3)(b).

**Appeal.** This order becomes final unless you file an appeal to the Skagit County Hearing Examiner, with the required fees, within 14 days of service. Appeal forms are available from, and must be submitted to Skagit County Planning and Development Services. Appeals are processed as appeals of Level I decisions under Skagit County Code 14.06.110. Failure to appeal may constitute waiver of all rights to appeal the order.

**No verbal agreements.** The Administrative Official may only rescind or modify this order in writing.

If you have any questions regarding this order, please contact the undersigned at (360) 416-1343.

Issued By

Sandra Perkins  
Sandra Perkins, Code Compliance Officer

Date

2/8/16