

CITY OF MARYSVILLE AGENDA BILL

EXECUTIVE SUMMARY FOR ACTION

CITY COUNCIL MEETING DATE: April 9, 2018

AGENDA ITEM:	
Amendment sections to Marysville Municipal Code 6.76.090 and 4.02.040 (Penalties for Noise Violations)	
PREPARED BY: J. Goldman	DIRECTOR APPROVAL: Richard Smith, Chief of Police
J. Goldman, Assistant Chief	
DEPARTMENT:	
Police Department	
ATTACHMENTS:	
Exhibit(s) MMC Amendments	
BUDGET CODE:	AMOUNT:
N/A	N/A
SUMMARY:	

This amendment to Municipal Code 6.76.090 and 4.02.040 will provide the following options for the police department when dealing with noise complaints and penalties.

The officer may provide a verbal warning or issue a civil infraction with a penalty of \$250.00 as a deterrent to excessive or unreasonable noise. If the same offense occurs within the same 24 hours, the offending party may be guilty of a misdemeanor offense.

Additionally, this amendment provides the officer(s) the authority to cite or arrest for repeated offenses regardless if committed on the same or separate days the noise continues.

Our City Attorney Jon Walker reviewed these amendments.

RECOMMENDED ACTION: Staff respectfully recommends the City Council authorize the Mayor to sign the proposed amendment to MMC 6.76.090 and MMC 4.02.040
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CITY OF MARYSVILLE
Marysville, Washington

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, AMENDING SECTIONS 6.76.090 AND 4.02.040 OF THE
MUNICIPAL CODE SETTING PENALTIES FOR NOISE VIOLATIONS.**

WHEREAS, efficient enforcement of ordinances prohibiting unreasonable or excessive noise promotes public health, safety, and welfare and conserves public resources; and

WHEREAS, the current penalty schedule for noise violations which increases penalties depending on the number of violations creates substantial administrative burdens and hampers enforcement; and

WHEREAS, a uniform penalty for violations would make enforcement more efficient and not sacrifice the efficacy of the penalty.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MARYSVILLE,
WASHINGTON, DO ORDAIN AS FOLLOWS:

A. SECTION 1. Section 6.76.090 of the municipal code is amended as set forth in Exhibit

B. SECTION 2. Section 4.02.040 of the municipal code is amended as set forth in Exhibit

SECTION 2. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

SECTION 3. Effective Date. This ordinance shall become effective five days after the date of its publication by summary.

PASSED by the City Council and APPROVED by the Mayor this _____ day of _____, 2018.

CITY OF MARYSVILLE

By _____
JON NEHRING, MAYOR

Attest:

By _____
_____, DEPUTY CITY CLERK

Approved as to form:

By _____
JON WALKER, CITY ATTORNEY

Date of publication: _____

Effective Date (5 days after publication): _____

EXHIBIT A

6.76.090 Penalty for violation.

(1) ~~Penalty. Motor Vehicle Offenses. All offenses defined in this chapter relating to the operation of motor vehicles, including specifically a violation of MMC 6.76.060(8), shall constitute traffic infractions, and a violator shall be civilly liable for a monetary penalty as specified in MMC 11.04.090. A person violating this chapter has committed a civil infraction with a penalty amount of \$250.00.~~

(2) ~~Other Noise Offenses. All other noise offenses defined in this chapter shall constitute a violation, and a violation shall be punishable as set forth in MMC 4.02.040(3)(g). A person violating this chapter within 24 hours of being issued a civil infraction for a violation of this chapter or being warned by a police officer that he or she is violating this chapter is guilty of a misdemeanor.~~

(3) ~~Separate Offenses. A person violating this chapter after having been cited for a violation has committed a separate civil infraction or a crime. and a A person may be cited or arrested for repeated violations occurring on the same or separate days. Each day for which a violation continues, or is repeated, shall constitute a separate offense.~~

(4) Supplement to Other Laws. The provisions of this chapter, and the penalties provided herein, shall be cumulative and nonexclusive, and shall not affect any other claim, cause of action, or remedy provided in the Marysville Municipal Code or by common law.

EXHIBIT B

4.02.040 Penalties and enforcement.

(1) Director Authorized to Enforce Codes. The director is charged with enforcement of the provisions of this title and the MMC.

(2) Violations. It shall be unlawful for any person to construct, enlarge, alter, repair, move, demolish, use, occupy or maintain any use or cause the same to be done in violation of any of the provisions of this title or other titles, chapters or sections of the MMC. Any such violation as determined by the director is declared to be a public nuisance and shall be corrected by any reasonable and lawful means as provided in this section. In the event the penalties provided in this title conflict with any penalty provided in any other section, chapter or title of the Marysville Municipal Code, the penalty provisions of this title shall control.

(3) Director's Remedies. Upon finding a violation, the director may:

(a) Institute appropriate action or proceedings to require compliance with this title or to enjoin, correct or abate any acts or practices which constitute or will constitute a violation;

(b) Issue a temporary enforcement order, stop work order, emergency order, or permanent enforcement order, pursuant to subsections (7) and (8) of this section;

(c) Abate the violation if corrective work is not commenced or completed within the time specified in a permanent enforcement order;

(d) Suspend or revoke any approvals or permits issued pursuant to this title; MMC Title [5](#) (Business Regulations and Licenses), including without limitation MMC [5.02.140](#), [5.20.080](#) and [5.52.090](#); MMC Title [6](#) (Penal Code), including without limitation Chapter [6.24](#) MMC; MMC Title [7](#) (Health and Sanitation), including without limitation MMC 7.04.010 through 7.04.100; MMC Title [9](#) (Fire); MMC Title [11](#) (Traffic), including without limitation MMC [11.36.040](#); MMC Title [12](#) (Streets and Sidewalks), including without limitation MMC [12.08.040](#), Chapter [12.12](#) MMC, MMC [12.20.010](#), Chapter [12.24](#) MMC, MMC 12.36.020 through 12.36.030 and 12.40.020 through 12.40.030; MMC Title [14](#) (Water and Sewers), including without limitation Chapters [14.15](#), [14.16](#), [14.17](#) and [14.21](#) MMC; MMC Title [16](#) (Building); and MMC Title [22](#) (Unified Development Code);

(e) Assess civil penalties after notice and order set forth in subsection (8)(b)(iv) of this section or recovered by legal action filing in Snohomish County superior court;

(f) File a lien against the property for costs of abatement and/or civil fines;

(g) Issue civil infractions/third violation criminal:

(i) Except as otherwise provided herein, any violation of this code to which this chapter applies is deemed and declared to be a civil infraction. Each day of violation shall constitute a separate civil infraction;

(ii) Schedule. Any person found to have committed a civil infraction shall be assessed a fine as set forth in the following schedule:

		First Violation		Second Violation *All third and subsequent violations of the MMC on this schedule within 2 years are a misdemeanor	
Code Provisions		Noncommercial	Commercial	Noncommercial	Commercial
Title	Chapter				
4 Enforcement Code	4.02 Enforcement Procedures	\$300	\$500	\$600 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$1,000 *Third violation, see subsections (3)(g)(iii) and (4) of this section
5 Business Regulations and Licenses	5.02 Business Licenses		\$250		\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
6 Penal Code	6.24 Public Nuisances	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section

					(3)(g)(iii) and (4) of this section
	6.76 Noise Regulation	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
7 Health and Sanitation	<u>7.08</u> Garbage Collection	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
9 Fire	<u>9.04</u> Fire Code	\$1,000	\$1,000	\$1,000 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$1,000 *Third violation, see subsections (3)(g)(iii) and (4) of this section
12 Streets and Sidewalks	<u>12.24</u> Sidewalks – Dangerous Conditions	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	<u>12.36</u> Vegetation	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	<u>12.40</u> Clean Condition of Public Right-of-Way	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections

					(3)(g)(iii) and (4) of this section
14 Water and Sewers	14.01 General Provisions	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	14.15 Controlling Storm Water Runoff from New Development, Redevelopment, and Construction Sites	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	14.16 Operation and Maintenance of Public Storm Drainage Systems	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	14.17 Operation and Maintenance of Private Storm Drainage Systems	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	Plus any costs incurred for the maintenance of failed private storm water systems.				
14.21 Illicit Discharge Detection and Elimination (IDDE)	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section	
Plus city's costs for abatement, sampling and/or monitoring.					

22 Unified Development Code	Title 22C Land Use Standards	\$150	\$250	\$300 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	22D.050 Clearing, Grading, Filling and Erosion Control	\$250	\$350	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$700 *Third violation, see subsections (3)(g)(iii) and (4) of this section
	22E.010 Critical Areas Management	\$250	\$350	\$500 *Third violation, see subsections (3)(g)(iii) and (4) of this section	\$700 *Third violation, see subsections (3)(g)(iii) and (4) of this section

(iii) Criminal Violations for Third and Subsequent Violations. All third and subsequent violations of all MMC chapters listed in the schedule in subsection (3)(g)(ii) of this section committed within two years are misdemeanor crimes punishable as set forth in subsection (4) of this section. Said crimes will be processed through Marysville municipal court as set forth in the Marysville Municipal Code, state law, the Washington State Court Rules Limited Jurisdiction Court Rules (CrRLJ) and local court rules for Marysville municipal court, and/or subsection (4) of this section; and/or

(iv) Civil infractions will be administered and processed through Marysville municipal court as set forth in the Marysville Municipal Code, state law, the Washington State Court Rules Infraction Rules for Courts of Limited Jurisdiction (IRLJ) and local court rules for Marysville municipal court; and/or

(h) Mitigate civil fines.

(i) The director may reduce or waive civil fines assessed under this chapter if the violation is corrected within the specified deadline and the correction is verified by the city. A reduction shall be in writing and state the date on which the violation was corrected.

(ii) For reduction or waiver of fines, the person(s) named shall have the burden of proof that the violation has been corrected.

(iii) Any reduction or waiver shall be based on an evaluation of individual circumstances, including but not limited to the severity of the violation, repetition of violations, protection of the public interest, and responsiveness of the person(s) responsible to correct, cure, abate, and/or stop the violation.

(4) Violators Punishable by Criminal Fine and Imprisonment. As referenced in subsections (3)(g)(ii) and (iii) of this section relating to third violations, and as an alternative to any other remedy provided in this title or by law or other ordinance, any person willfully or knowingly violating any provision of this title or other titles, chapters or sections of the MMC, or amendments thereto, or any person aiding or abetting such violation is guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$1,000 and/or imprisonment for a term not to exceed 90 days. Each day such violation continues may be considered a separate offense.

(5) Inspections.

(a) Whenever the director has reasonable cause to believe that a violation has been or is being committed, the director or the director's duly authorized inspector may enter any building, structure or property at any reasonable time to inspect the use and perform any duty conferred on the director by this title.

(b) If the building, structure or property is occupied, the director shall first present identification credentials, state the reason for the inspection and demand entry. If consent to enter is not given and if:

(i) The director has reason to believe that the conditions create an imminent and irreparable hazard, then the director shall enter; or

(ii) The director has reason to believe that the conditions do not create an imminent and irreparable hazard, the director shall enter after first obtaining a civil search warrant.

(c) If the building, structure or property is not occupied, the director shall make a reasonable effort to locate the owner or other person(s) having control and request permission to enter. If the director is unable to locate the owner or person(s) having control, and if:

(i) The director has reason to believe that conditions therein create an immediate and irreparable hazard, the director shall enter; or

(ii) The director has reason to believe that the conditions do not create an imminent and irreparable hazard, the director shall enter after first obtaining a search warrant.

(6) Violators Punishable by Civil Penalties After Administrative Notice and Order.

(a) Director to Determine Violation and May Provide Enforcement Order. Within 30 days of notice of a potential violation, the director is authorized to and shall determine whether a violation has occurred and, if the director determines that a violation has occurred, shall issue a temporary or permanent enforcement order. The director shall notify the complainant, the owner or operator of the source of the violation, and the person in possession of the property or the person causing the violation of the director's determination in writing within three city working days of the determination. Service of the notice by first class and certified (return receipt requested) mail to the last known address of the complainant and violators shall be deemed effective notice.

(b) Director May Commence Administrative Notice. Additionally, whenever the director has reason to believe that a use or condition exists in violation of this title and that violation will be most promptly and equitably terminated by an administrative proceeding, the director may commence an administrative notice and order proceeding to cause assessment of a civil penalty, abatement or suspension of all activities, work or revocation of any approvals or permits issued pursuant to this title; MMC Title [5](#) (Business Regulations and Licenses), including without limitation MMC [5.02.140](#), [5.20.080](#) and [5.52.090](#); MMC Title [6](#) (Penal Code), including without limitation Chapter [6.24](#) MMC; MMC Title [7](#) (Health and Sanitation), including without limitation MMC 7.04.010 through 7.04.100; MMC Title [9](#) (Fire); MMC Title [11](#) (Traffic), including without limitation MMC [11.36.040](#); MMC Title [12](#) (Streets and Sidewalks), including without limitation MMC [12.08.040](#), Chapter [12.12](#) MMC, MMC [12.20.010](#), Chapter [12.24](#) MMC, MMC 12.36.020 through 12.36.030 and 12.40.020 through 12.40.030; MMC Title [14](#) (Water and Sewers), including without limitation Chapters [14.15](#), [14.16](#), [14.17](#) and [14.21](#) MMC; MMC Title [16](#) (Building); and MMC Title [22](#) (Unified Development Code).

(7) Temporary Enforcement Order, Stop Work Order, and Emergency Order.

(a) The director may cause a temporary enforcement order, stop work order, or emergency order ("order") to be posted on the subject property or served on the property owner and/or persons engaged in any work or activity on the property, as provided in this section.

(i) A temporary order may be issued pursuant to and in accordance with subsection (6)(a) of this section.

(ii) A stop work order may be issued to immediately cease specified work or activity when the director finds that such work or activity is being conducted in violation of the MMC or in a dangerous or unsafe manner.

(iii) An emergency order may be issued to immediately cease and remedy specified work or activity when the director finds that such work or activity is being conducted in a hazardous or unsafe manner that threatens the health or safety of the occupants of any premises or members of the public.

(iv) Violation of a stop work order or emergency order shall constitute a misdemeanor, punishable as provided in subsection (4) of this section.

(b) The order shall require immediate cessation of such work or activities and may temporarily suspend any approval or permit issued under this title; MMC Title [5](#) (Business Regulations and Licenses), including without limitation MMC [5.02.140](#), [5.20.080](#) and [5.52.090](#); MMC Title [6](#) (Penal Code), including without limitation Chapter [6.24](#) MMC; MMC Title [7](#) (Health and Sanitation), including without limitation MMC 7.04.010 through 7.04.100; MMC Title [9](#) (Fire); MMC Title [11](#) (Traffic), including without limitation MMC [11.36.040](#); MMC Title [12](#) (Streets and Sidewalks), including without limitation MMC [12.08.040](#), Chapter [12.12](#) MMC, MMC [12.20.010](#), Chapter [12.24](#) MMC, MMC 12.36.020 through 12.36.030 and 12.40.020 through 12.40.030; MMC Title [14](#) (Water and Sewers), including without limitation Chapters [14.15](#), [14.16](#), [14.17](#) and [14.21](#) MMC; MMC Title [16](#) (Building); and MMC Title [22](#) (Unified Development Code).

(c) The order may be issued without written or oral notice and shall expire by its own terms in 10 days unless the director extends or issues and transmits a permanent enforcement order pursuant to subsection (8) of this section.

(d) The order shall contain:

(i) The street address, when available, and a legal description of the real property;

(ii) A statement that the director has found the person to be in violation of this title and a brief and concise description of the condition found to be in violation;

(iii) A statement of the corrective action to be taken;

(iv) A statement that the order shall expire by its own terms in 10 days unless extended in writing or a permanent order is issued;

(v) A statement that the violator may be subject to a civil penalty in the amount set forth in subsection (3)(g) of this section for each day that the violation continues and, if applicable, the conditions on which assessment of such civil penalty is contingent.

(e) **Withdrawal or Issuance of Additional Temporary Order.** The director may withdraw a temporary order if compliance is achieved within 10 calendar days of posting or service thereof. If, after withdrawal, the violation is continued or repeated, the director may cause a second temporary order to be posted on the subject property or served on persons engaged in any work or activity in violation of this title. Any subsequent order involving the same violation shall be permanent.

(8) **Permanent Enforcement Order.**

(a) A permanent order shall be issued by the director and become final within 10 calendar days, unless written appeal is received asking for a hearing before the hearing examiner.

(b) The permanent enforcement order shall contain:

(i) The street address and, when available, a legal description of real property;

(ii) A statement that the director has found the person to be in violation of this title and a brief and concise description of the conditions found to be in violation;

(iii) A statement of the corrective action required to be taken. If the director has determined that corrective work is required, the order shall mandate that all required permits be secured and the work be physically commenced and completed within such time as the director determines is reasonable under the circumstances, but in no event shall such time exceed 90 days;

(iv) A statement that the violator may be subject to a civil penalty in the amount set forth in subsection (3)(g) of this section for each day that the violation continues and, if applicable, the conditions on which assessment of such civil penalty is contingent;

(v) Statements advising:

(A) If any required work is not commenced or completed within the time specified, the director shall proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and any other property owned by the person in violation and as a personal obligation of any person in violation; and

(B) If any assessed civil penalty is not paid, the director will charge the amount of the penalty as a lien against the property and as a joint and separate personal obligation of any person in violation; and

(C) The violator of the violator's right to appeal and the appeal process.

(c) Any order issued by the director pursuant to this title shall be final unless a timely appeal is filed pursuant to subsection (9) of this section.

(d) Service. Service of the permanent enforcement order shall be made upon all persons identified in the order either personally or by mailing a copy of such order by certified mail, postage prepaid, return receipt requested, to the last known address. If the address of any such person cannot reasonably be ascertained, a copy of the order shall be mailed to such person at the address of the location of the violation. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this title. Service by certified mail in the manner provided in this section shall be effective on the date of postmark. The order may be, but is not required to be, posted on the subject property.

(e) Supplemental Order. The director may at any time add to, rescind in part, or otherwise modify a permanent enforcement order.

(9) Appeal.

(a) A written appeal may be filed within 10 calendar days following issuance of a temporary or permanent order, stop work order, emergency order, or permanent enforcement order.

(b) An appeal of a stop work order or emergency order shall not stay the requirement that the specified work or activity immediately cease and/or be remedied.

(c) The director shall prepare and transmit to the hearing examiner any appeal of a temporary or permanent enforcement order, and a hearing shall be scheduled within 60 days of the appeal date. Cost of the appeal shall be part of the decision. The hearing examiner's decision may be reviewed by an

action for writ of review in the superior court of Snohomish County filed within 10 calendar days of the decision. If no appeal is filed in the required length of time, the hearing examiner's decision shall be final.

(10) Violation of Permanent Order. If, after any permanent order duly issued by the director or hearing examiner has become final, the person to whom such order is directed fails, neglects, or refuses to obey such order, including refusal to pay a civil penalty assessed under such order, the director may:

- (a) Cause such person to be prosecuted under the provisions of this title;
- (b) Institute any appropriate action to collect a civil penalty assessed under this title;
- (c) Abate the violation using the procedures of this title; and/or
- (d) Pursue any other appropriate remedy at law or equity.

(11) Revocation or Suspension of Approvals or Permits. The director may permanently revoke or suspend any approval or permit issued under this title; MMC Title [5](#) (Business Regulations and Licenses), including without limitation MMC [5.02.140](#), [5.20.080](#) and [5.52.090](#); MMC Title [6](#) (Penal Code), including without limitation Chapter [6.24](#) MMC; MMC Title [7](#) (Health and Sanitation), including without limitation MMC 7.04.010 through 7.04.100; MMC Title [9](#) (Fire); MMC Title [11](#) (Traffic), including without limitation MMC [11.36.040](#); MMC Title [12](#) (Streets and Sidewalks), including without limitation MMC [12.08.040](#), Chapter [12.12](#) MMC, MMC [12.20.010](#), Chapter [12.24](#) MMC, MMC 12.36.020 through 12.36.030 and 12.40.020 through 12.40.030; MMC Title [14](#) (Water and Sewers), including without limitation Chapters [14.15](#), [14.16](#), [14.17](#) and [14.21](#) MMC; MMC Title [16](#) (Building); and MMC Title [22](#) (Unified Development Code) for any of the following reasons:

- (a) Failure of the holder to comply with the requirements of such title; or
- (b) Failure of the holder to comply with any order issued pursuant to this title; or
- (c) Discovery by the director that an approval or a permit was issued in error or on the basis of incorrect information supplied to the city.

Such approval of permit revocation or suspension shall be carried out through the notice and order provisions of this section. The revocation or suspension shall be final within five working days of the conclusion of a hearing unless the hearing examiner renders a written decision modifying or denying the revocation or suspension.

(12) Lien.

(a) City Has Lien. The city of Marysville shall have a lien for any civil penalty imposed or for the cost of any work or abatement done pursuant to this title, or both, against the real property on which the civil penalty was imposed or any of the work of abatement was performed and against any other real property owned by any person in violation. The civil penalty shall be a joint and several obligation of all people found to be in violation. The lien shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be superior to all other liens, except for state and county taxes, with which it shall be on a parity.

(b) Director's Authority to Claim Lien. The director shall cause a claim for lien to be filed for record with the auditor within 90 days from the date the civil penalty is due or within 90 days from the date of completion of the work or abatement performed by the city of Marysville pursuant to this title.

(c) Notice of Lien. The notice and order of a director pursuant to this title shall give notice to the owner that a lien for the civil penalty or the cost of abatement, or both, may be claimed by the city. Service of the notice and order shall be made upon all persons identified in the notice and order either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested.

(d) Contents of Lien. The claim of lien shall contain the following:

- (i) The authority for imposing a civil penalty or proceeding to abate the violation, or both;
- (ii) A brief description of the civil penalty imposed or the abatement work done, or both, including the violations charged and the duration thereof, the time the work was commenced and completed and the name of the persons or organizations performing the work;
- (iii) A legal description of the property to be charged with the lien;
- (iv) The name of the known or reputed owner; and
- (v) The amount, including lawful and reasonable costs, for which the lien is claimed.

(e) Verification of Lien. The lien shall be verified by the director to the effect that the director believes that the claim is just.

(f) Filing of Lien. The lien shall be recorded with the Snohomish County auditor.

(g) Duration of Lien. No lien created under this title shall bind the property for a period longer than three years after the claim has been filed unless an action is commenced in the proper court within that time to enforce the lien.

(h) Foreclosure of Lien. The lien may be foreclosed by a civil action in Snohomish County superior court.

(i) Removal of Lien. All liens shall be removed by the city of Marysville when all conditions placed upon the violator(s) by a notice and order or by the hearing examiner have been satisfied.