

Attachment A - Proposed Amendment to SMC 20.30.775

20.30.775 Collection of penalties and costs.

A. All monies collected from the assessment of civil penalties, ~~costs,~~ and for abatement ~~reimbursements recovered from violators resulting from code enforcement actions and work shall be allocated to support expenditures for abatement, and shall be accounted for through either creation of a fund or other appropriate accounting mechanism in the Department issuing the notice and order under which the abatement occurred.~~ shall be deposited in a code enforcement/abatement fund and utilized for future code enforcement action expenses. Eligible expenses shall include, but not be limited to, all costs for abatement whether or not the responsible party is identified, education and outreach, and one-time expenses associated with a specific case necessary for obtaining code compliance.

B. The amount of cost of repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Director shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. For the purposes of this section, the cost of vacating and closing shall include (1) the amount of relocation assistance payments advanced to the tenants under RCW [59.18.085](#) that a property owner has not repaid to the City, and (2) all penalties and interest that accrue as a result of the failure of the property owner to timely repay the amount of these relocation assistance payments under RCW [59.18.085](#).

Upon certification by the City Finance Director of the assessment amount being due and owing, the County Treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW [84.56.020](#), as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the City.

If the dwelling, building, structure, or premises is removed or demolished by the Director, the Director shall, if possible, sell the materials from such dwelling, building, structure, or premises and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the Director, after deducting the costs incident thereto.

The assessment shall constitute a lien against the property, which shall be of equal rank with State, county and municipal taxes.

C. In addition to, or in lieu of, the provisions set forth in this subchapter, the City may commence a civil action in any court of competent jurisdiction to collect for any such charges incurred by the City to obtain

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compliance pursuant to this chapter and/or to collect any penalties that have been assessed. (Ord. 466 § 4, 2007; Ord. 391 § 4, 2005; Ord. 238 Ch. III § 10(f), 2000).