

**CASE NUMBER
2520071032
SN:36.0 PC:119**

FILED
7/14/2025
Timothy W Fitzgerald
Spokane County Clerk

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7 SUPERIOR COURT OF WASHINGTON IN AND FOR SPOKANE COUNTY
8 CITY OF SPOKANE VALLEY, a municipal corporation,
9 Plaintiff,
10 v.
11 ALBERT W. MERKEL, an individual,
12 Defendant.
13 NO. 25-2-00710-32
DECLARATION OF JENNY NICKERSON IN SUPPORT OF PLAINTIFF'S MOTION TO STRIKE DECLARATION OF ALBERT W. MERKEL IN SUPPORT OF MOTION FOR PROTECTIVE ORDER

I, JENNY NICKERSON, declare as follows:

1. I am over the age of 18, competent to testify, and I make the following statements based on my own personal knowledge.

2. I am currently employed as the Building Official for the City of Spokane Valley (“City”). I have been in this position since 8/27/2018. Prior to being promoted as the City’s Building Official, I had been the City’s Assistant Building Official. In all, I have been continuously employed by the City for over the last 12 years.

3. As the Building Official, my duties include overseeing the City's Code Enforcement Officers, including the receipt, investigation, and remediation of property uses and conditions that violate the Spokane Valley Municipal Code ("SVMC") – including but not limited to those restricting parking of unlicensed or junk vehicles on private property, prohibiting noxious weeds and/or garbage on private property, and prohibiting unauthorized structures (such as shipping containers) on private property in residential zones.

DECLARATION OF JENNY NICKERSON: 1

LAW OFFICES OF
LUKINS & ANNIS, PS
A PROFESSIONAL SERVICE CORPORATION
717 W Sprague Ave., Suite 1600
Spokane, WA 99201
Telephone: (509) 455-9555
Fax: (509) 712-2727

1 4. I have reviewed “Declaration of Albert W. Mekel [sic] in Support of Motion for
2 Protective Order” (hereinafter “Defendant’s Declaration”) that was filed with the Court on July 7,
3 2025. Therein, he claims that he was “harassed repeatedly at home by the city’s code enforcement
4 department . . . despite [his] consistent success in fighting every allegation.” *Defendant’s*
5 *Declaration*, ¶ 9. As set forth below, all statements in paragraph 9 of Defendant’s Declaration are
6 false:

7 4.1. Defendant does not provide any documents supporting his testimony in
8 paragraph 9 of Defendant’s Declaration. I therefore had the City’s code enforcement staff
9 identify all code enforcement instances that Code Enforcement staff have had with
10 Defendant from 2021 to current. True and correct copies of records regarding each incident
11 are attached hereto as **Exhibits A** through **I** (with complainant identifiers redacted).

12 4.2. As the Court will see, each incident was initiated by a complaint from a member
13 of the public – not City staff targeting or otherwise harassing Defendant. As the Building
14 Official supervising the City’s Code Enforcement Officers, I can also confirm that I did
15 not cause these complaints to be prioritized over any other complaint the City received
16 reporting violations handled by the Code Enforcement staff – either before or after
17 Defendant became an elected Councilmember.

18 4.3. Moreover, City code enforcement staff determined after investigating each case
19 that either (1) a code violation was not present and no fine/penalty should be issued, or (2)
20 determined a code violation was present, but did not issue a fine/penalty because the City
21 gave him ample time to correct the violation and Defendant did so.

22 4.4. City Code Enforcement staff were not harassing Defendant. They were just
23 doing their job, which is to investigate code complaints received by the City and take action
24 to redress violations.

25 5. I also reviewed Defendant’s statements in paragraph 12 of Defendant’s Declaration
regarding the City’s investigation of code violations on properties owned by Mike Dolan and Tracy
Christian. Defendant’s statements regarding the City’s actions are false. True and correct records

1 concerning each complaint are attached hereto as **Exhibits J** and **K** (with complainant identifiers
2 redacted per complainant request). Below is a summary of the City's handling of each complaint:

3 5.1. Tracy Christian (Case No. NUI-2025-0064):

- 4 a. On June 17, 2025, the City received a complaint from a member of the public.
5 This person elected to remain anonymous on their belief that "disclosure would
6 endanger [their] life, physical safety, or property." **Exhibit J**.
- 7 b. The complaint was that "[t]his house has weeds everywhere broken fence and
8 broke down cars. Looks like a junkyard." *Id.*
- 9 c. The next day, Code Enforcement Officer Tim Wirun drove to the property's
10 address, viewed and took pictures of the subject property from the street, and
11 identified an unlicensed vehicle on the property that was visible from the street
12 and not screened by "maintained landscaping, a maintained landscaped berm,
13 or fencing allowed . . . pursuant to Chapter 22.70 SVMC." This is a violation
14 of SVMC 7.05.040(N) titled "Junk Vehicles and Unlicensed Vehicles."
- 15 d. On June 18th, Mr. Wirun issued a Warning Notice to Ms. Christian (1)
16 informing her of the violation, (2) notifying her that she needs to "[e]nsure ALL
17 vehicle(s) are displaying valid license plate(s) with current registration. Or
18 remove junk/unlicensed vehicle(s), and parts thereof, from the property or store
19 in an approved structure" in order to come into compliance, and (3) gave Ms.
20 Christian until July 18, 2025, to demonstrate compliance and avoid a civil
21 penalty. **Exhibit J**.
- 22 e. As the Court can see in **Exhibit J**, the email correspondence between Mr. Wirun
23 and Ms. Christian was cordial and professional.

24 5.2. Mike Dolan (Case No. GEN-2024-0108):

- 25 a. On August 21, 2024, the City received a complaint from an anonymous source
 that Mr. Dolan was keeping a large shipping container on his property in
 violation of the Spokane Valley Municipal Code. *See Exhibit K.*

- b. The next day, City Code Enforcement Officer Tim Wirun went to the property's address to view the property from the City street and observed that a large shipping container was in Mr. Dolan's driveway in violation of SVMC 19.65.130.
- c. On September 16, 2024, at my direction, Mr. Wirun sent a Warning Notice to Mr. Dolan notifying him of the violation and that he needed to remove the cargo container by October 16, 2024, to avoid being assess a civil penalty.
- d. On September 23, 2024, Mr. Dolan asked me to extend the compliance deadline. I agreed and extended his compliance deadline to December 6, 2024.
- e. A month later on October 23, 2024, I gave Mr. Dolan another extension for compliance until June 1, 2025 – more than $\frac{3}{4}$ of a year after the August 2024 complaint.
- f. On October 31, 2024, Mr. Dolan executed a Voluntary Compliance Agreement and committed to removing the shipping container by June 1, 2025.
- g. In April 2025, Mr. Dolan emailed me stating that the shipping container was no longer on his property. Three days later the City drove by the property, confirmed that the container had been removed, and closed the matter without issuing a citation or assessing any civil penalty.
- h. The email correspondence between me and Mr. Dolan is included in **Exhibit K**. As the Court will see, my communications with him were cordial, professional, and respectful.
- i. I can unequivocally state that I did not "harass" Mr. Dolan. I was simply doing my job to enforce the City's code provisions after receiving and investigating a complaint that was submitted to the City. In fact, I believe that I treated Mr. Dolan with the utmost fairness by agreeing to give him over nine (9) months to correct the code violation without being penalized.

6. In Defendant's Declaration at paragraph 12, Defendant also claims that City

Manager John Hohman visited Mr. Dolan's and Ms. Christian's properties. Despite me having worked with Mr. Dolan over several months to redress his code violation, reading Defendant's Declaration was the first time I ever heard this being alleged. I have no knowledge of City Manager John Hohman visiting either Mr. Dolan's or Mr. Christian's properties on any occasion.

7. Defendant also states at paragraph 12 of his declaration that Mr. Hohman "hand-selected alleged code violations and then prioritized enforcement against [Mr. Dolan and Ms. Christian], by bypassing hundreds of citizen-reported cases." This statement is not true. Mr. Hohman did not direct City Code Enforcement staff to find any code violation in either matter, much less a violation under any specific code provision. Moreover, Mr. Hohman did not direct or ask Code Enforcement to prioritize investigation of these complaints, and no such prioritization occurred. Indeed, when Code Enforcement initiated its investigation, there were no older complaints for which investigations had not already begun.

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED this 14th day of July, 2025 at Spokane Valley, Washington.

JENNY NICKERSON

DECLARATION OF JENNY NICKERSON: 5

LAW OFFICES OF
LUKINS & ANNIS, PS
A PROFESSIONAL SERVICE CORPORATION
717 W Sprague Ave, Suite 1600
Spokane, WA 99201
Telephone: (509) 455-9155
Fax: (509) 747-2325

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 11th day of July, 2025, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to all entities as follows:

Patrick J. Kirby
Patrick J. Kirby Law Office, PLLC
4353 S. Greystone Lane
Spokane, WA 99223
pkirby@pkirbylaw.com

- U.S. Mail
- Hand Delivered
- Overnight Mail
- Via E-Filing
- Via Email

Attorney for Defendant

LUKINS & ANNIS, P.S.

KIRSTEN PRICE, Legal Assistant

EXHIBIT A



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # PRO-2025-0060

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

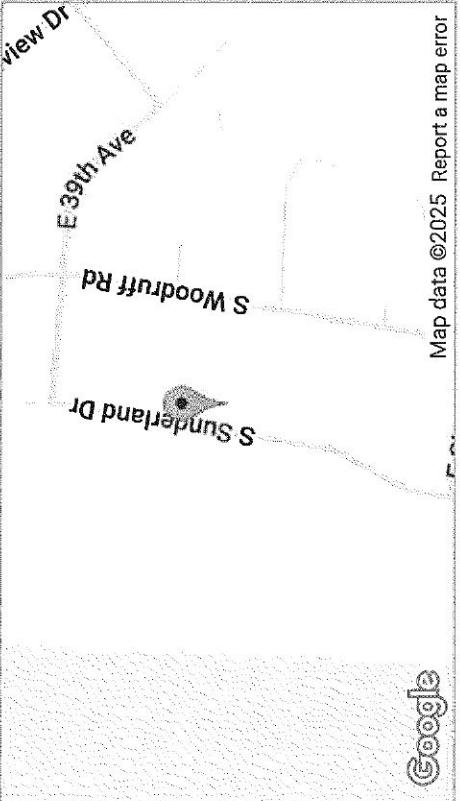
Status CLOSED - NO VIOLATION

Parent #

GENERAL	05/13/2025	SR33356 Vehicles parked on the lawn
GENERAL	05/14/2025	Site visit/photos. Vehicles parked on lawn not a code violation. Case is closed with no confirmed violation.

Service Request 33356

Record Info

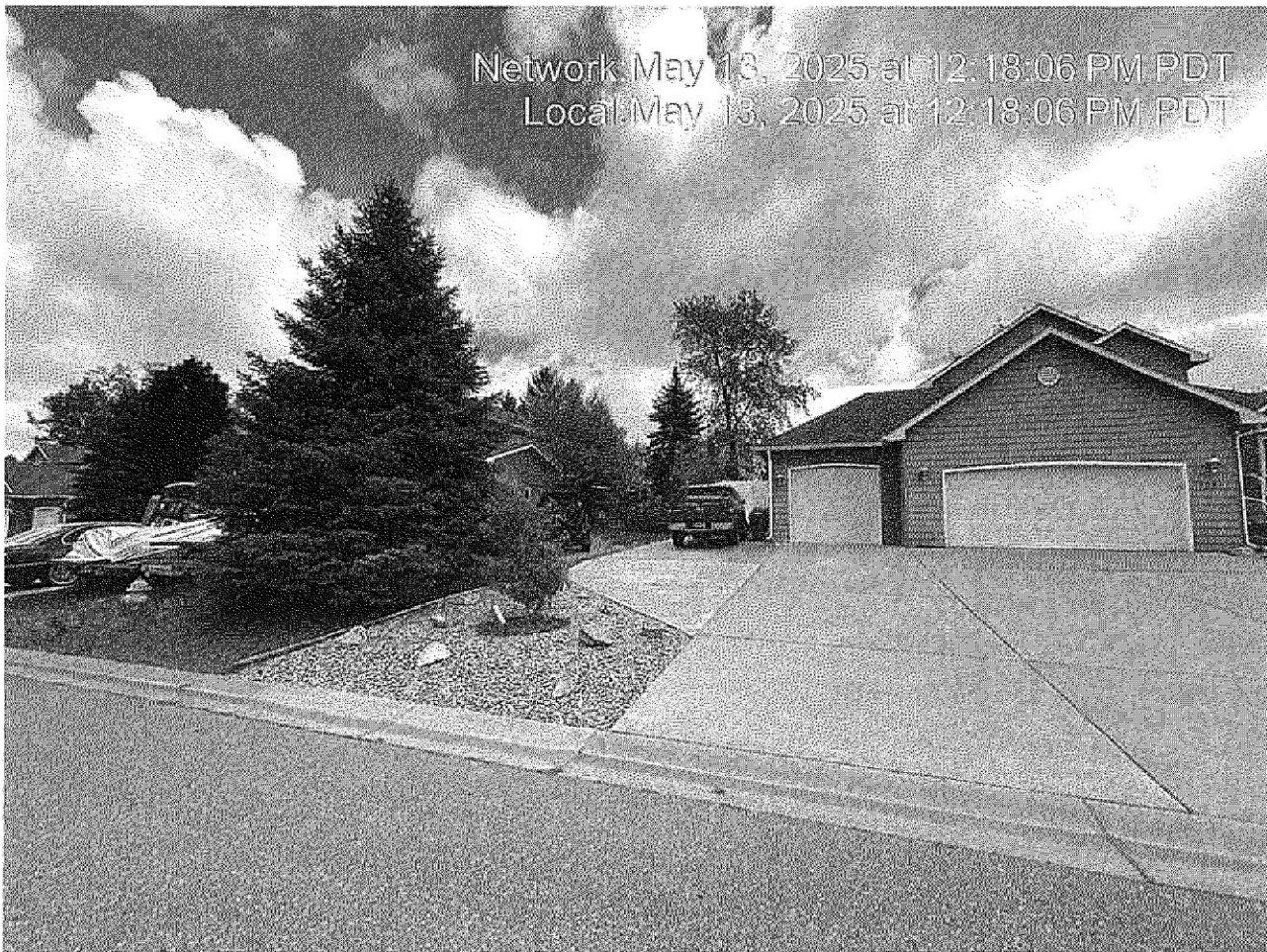
Request ID:	33356	Request Type:	Other						
Priority:	2	Entered By:	anonymous						
Date Submitted:	5/9/2025 7:51:00 PM	Cross Street:							
Address:	3927 S Sunderland Dr Spokane Valley								
District:		Comments:	Vehicles parked on the lawn						
Private Notes:		Disclosure of Identity:	Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.						
Electronic Signature:		Date:	5/10/2025						
Internal Only_ Smart Gov Number:		PRO-2025-0060							
Submitter Info <table border="1"> <tr> <td>Name:</td> <td>S Sunderland Dr</td> </tr> <tr> <td>Address:</td> <td>Spokane Valley, WA 99206-8629</td> </tr> <tr> <td>Phone #:</td> <td>Extension: @gmail.com</td> </tr> </table>				Name:	S Sunderland Dr	Address:	Spokane Valley, WA 99206-8629	Phone #:	Extension: @gmail.com
Name:	S Sunderland Dr								
Address:	Spokane Valley, WA 99206-8629								
Phone #:	Extension: @gmail.com								

Alt. Phone #: Extension:
Notify:

Business Name:

Activity List			
Date:	5/9/2025 7:51:00 PM	User:	anonymous
Comments:	Service Request Open - ID 33356		Routed To: CodeEnforcement, mlemons
	Comments: Vehicles parked on the lawn		
Date:	5/9/2025 7:51:00 PM	User:	anonymous
Comments:	An automated email has been sent to the submitter(s): rvmiesen@gmail.com		
Date:	5/13/2025 4:54:00 PM	User:	mlemons
Comments:	PRO-2025-0060		Thank you for contacting the City of Spokane Valley. Please be advised that your concern has been routed to the Code Enforcement Officer for investigation. For updates please contact us at (509) 720-5240 and reference the above case number.
Date:	5/13/2025 4:54:00 PM	User:	mlemons
Comments:	An automated email has been sent to the submitter(s): rvmiesen@gmail.com		@gmail.com

Network May 13, 2025 at 12:18:06 PM PDT
Local May 13, 2025 at 12:18:06 PM PDT



Network May 13, 2025 at 12:18:07 PM PDT
Local May 13, 2025 at 12:18:07 PM PDT



EXHIBIT B



Community & Public Works

10210 E. Sprague Ave.

Spokane Valley, WA 99206

(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2024-0005

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

Status CLOSED

Parent #

GENERAL	02/06/2024	Site inspection/photos. Code Enforcement observed vehicles parked at property with expired registration. Previous City of Spokane Valley Municipal Code Violations or concerns do not appear to be present at this time.
GENERAL	02/07/2024	Warning Notice sent to Merkel, Albert, Occupant/Tenant 3927 S Sunderland Dr. Spokane Valley, WA. 99206
		CITIZEN ACTION REQUEST
GENERAL	02/07/2024	Site Address Has Had Previous Violations. Complainant reports that all previous violations are still in effect and that items have not been addressed. Previous cases reference garbage, weeds, and junk vehicles
GENERAL	02/14/2024	Message received from Al Merkel (202) 714-8725, 02/14/2024. Returned call @ 1220PM. Left message.
GENERAL	02/23/2024	Message received from Al Merkel, 02/21/2024. Call back 02/22/2024. Left message.
GENERAL	02/27/2024	E-Mail from Al Merkel. Response included with explanation of violation and correction needed.
GENERAL	02/28/2024	Request for registration
GENERAL	02/29/2024	Email from Albert Merkel with updated registration. Truck registered as Antique Vehicle 2/23/24. Other vehicle perm registration provided as well. Will make site visit to confirm compliance.
GENERAL	03/01/2024	Site visit/photos. 72 Chevy PU still displaying license plate with expired 2020 tabs.
GENERAL	03/01/2024	Additional vehicle now parked in driveway visible from the City Right of Way. Honda sedan license plate 509-DOL. DEC 91. Will contact homeowner to request registration certificate.
GENERAL	03/01/2024	E-Mail reply for case.
GENERAL	03/07/2024	Site visit. Compliance deadline 3/6/24 (yesterday). Truck in driveway still displaying expired 2020 registration. Property not in compliance.
GENERAL	03/13/2024	Site inspection/photos. Covered truck in driveway, visible from City of Spokane Valley Right of Way, still not displaying correct plate number from Registration Certificate.
GENERAL	03/15/2024	Fifth Site visit. Property now in compliance regarding initial complaint.
GENERAL	03/20/2024	E-mail correspondence.



COMMUNITY & PUBLIC WORKS
CODE ENFORCEMENT DIVISION

10210 E Sprague Avenue ♦ Spokane Valley WA 99206
Phone: (509) 720-5240 ♦ Fax: (509) 720-5075 ♦ www.spokanevalley.org
codeenforcement@spokanevalley.org

Code Enforcement Citizen Action Request

Address of concern: 2977 S Sunderland Dr

If you do not know the address, please identify the nearest intersection and specific description.

Nature of Concern - Please be as descriptive as possible:

*All concerns need to be reported please
This is a sitting council person. He should
know the laws*

Requester information - please print:

Your name: Leave at the front desk

Telephone:

Address: Please

Email: jandb

Permission to enter and view/investigate concern from your Property? Yes No

Confidentiality Preference: Disclosure of information revealing your identity will depend on application of the public disclosure laws pursuant to the Public Records Act, Chapter 42.56 RCW, or other applicable statutes and whether violations are criminally prosecuted.

Initialing below indicates your preference to disclose your identity. Failure to initial will result in information being subject to disclosure.

By initialing 'Do Not Disclose' I am indicating that the disclosure of my name would endanger my life, physical safety, or property.

Initial: Do Not Disclose.

Initial: My identity may be disclosed.

Signature:

Date: 2-2-23

What is Code Enforcement? Code Enforcement is a City program by which the rules governing the use of private property as adopted by the City Council are enforced. These rules are intended to protect the public health, safety, and welfare of all citizens. The Community and Public Works Department is responsible for enforcing the provisions of the Municipal Code, the Revised Code of Washington, and other adopted regulations related to building codes, zoning, subdivisions, shorelines, and critical areas. Adopted regulations also contain penalties that may be imposed when a property owner refuses to correct a cited violation.

Who may file a complaint and when may it be filed? Anyone may file a complaint report whenever they observe conditions and/or uses of property or structures that they suspect are improper or potentially hazardous. Knowledge of City ordinances is not required. Code Enforcement staff makes this evaluation. Misdirected complaints will be forwarded to a more appropriate department or agency (i.e., Spokane Valley Police, Spokane Regional Clean Air Agency, SCRAPS, etc.).

What kinds of complaints does Code Enforcement handle? Below is a list of examples of the most common issues that Code Enforcement handles. The list is not exhaustive but gives a good example of what situations can be handled by a code compliance officer:

- ⇒ outdoor storage of junk, garbage, or junk cars;
- ⇒ accessory structures in required yards;
- ⇒ vehicles parked in required yards;
- ⇒ violations of home occupation licensing regulations;
- ⇒ violations of minimum housing standards;
- ⇒ excessive noise (during regular business hours);
- ⇒ construction/demolition without permits;
- ⇒ fire hazards and dangerous buildings

How is a complaint filed? Except where an immediate hazard exists, compliance actions begin with either a signed complaint or e-mail from a resident or public agency. The appropriate form for filing a complaint can be acquired by calling (509) 720-5000 or visiting the City of Spokane Valley at 10210 E. Sprague. It is also available on our website at www.spokanevalley.org. You can submit the complaint to the address above.

What happens once I've submitted my written complaint? Except for issues where an immediate threat to health and safety exist, initial action on your complaint will normally begin within 24 hours of receipt of the complaint. An inspection of the site will normally occur within 1 or 2 days. However, evidence of the initial actions may not be immediately apparent as actual resolution of the issue can take weeks, months, and sometimes longer, depending on the complexity and legal ramifications.

Complaint Referral Guide

COMPLAINT	CONTACT	PHONE
Emergencies/Criminal Complaints	Spokane Valley Police Emergency	911
Noise complaints outside of regular business hours (on weekends and after 4:00 PM but before 7:00 AM weekdays)	Crime Check	456-2233
Barking dogs and other small domestic animals issues (dogs, cats, etc.)	Spokane County Animal Control	477-2532
Landlord/Tenant disputes	NW Justice League NW Fair Housing	1-888-201-1014 325-3037
Sewer/Septic	Spokane Regional Health District	324-1560
Air Pollution	Spokane Regional Clean Air Agency	477-4727

Code Enforcement Case Stats

Case Number	Site Address	Date Submitted	Date Closed	Description	Case Status
NUI-2023-0334	3927 S SUNDERLAND DR	07/03/2023	07/19/2023	Service Request 27295 Garbage, weeds and junk vehicles	CLOSED - NO VIOLATION
NUI-2022-0487	3927 S SUNDERLAND DR	11/15/2022	11/16/2022	Service Request 25449 Code enforcement needs to do something about all the vehicles on this property. It is a health concern and an eyesore.	CLOSED - NO VIOLATION
NUI-2022-0314	3927 S SUNDERLAND DR	08/16/2022	09/23/2022	<p>For months, this suburban homeowner has had seven vehicles in the front yard of his 1/3 acre property. Four vehicles are non-operational, two in the street, one in the driveway, and one in the two-car garage (doors are now open 24/7 due to an expanding collection of other junk). Three cars are operational and often parked on the street. As time marches on, there is other miscellaneous junk overflowing onto the driveway and yard.</p> <p>As you will see, the disabled junk cars are completely uncharacteristic of this otherwise well kept neighborhood and this residence stands out in a negative way along the entire block. I am hoping that SV code enforcement will encourage the homeowner to clean up the property by at least removing the nonoperational vehicles from the driveway and street.</p> <p>Thank you for your attention to this problem!</p>	CLOSED
NUI-2021-0458	3927 S SUNDERLAND DR	11/29/2021	11/29/2021	Service Request 22636 Garbage, junk vehicles, tires. Garbage blows in neighbors yard. I mistakenly put 4002 S Sunderland on the previous complaint. It's 3927 S. Sunderland.	CLOSED - NO VIOLATION
NUI-2021-0445	3927 S SUNDERLAND DR	11/15/2021	11/15/2021	Service Request 22524 Boxes, garbage, misc. items all over. Garbage blowing in our yards.	CLOSED - NO VIOLATION
NUI-2021-0348	3927 S SUNDERLAND DR	09/03/2021	09/03/2021	Service Request 22109 Excessive of amount of vehicles. One has been parked on the street for months and has not moved.	CLOSED - NO VIOLATION
NUI-2021-0309	3927 S SUNDERLAND DR	08/16/2021	08/19/2021	Service Request 21962 There is garbage in the back of a truck that blows out and goes into the neighbors yards. Also there is a car that has sat on the street for months and hasn't been moved.	CLOSED

Jenny Nickerson

From: Tim Wirun
Sent: Wednesday, March 20, 2024 6:26 AM
To: Albert Merkel
Cc: Jenny Nickerson; Joseph Crane
Subject: RE: Code Enforcement Issue

Thank you for providing the picture of the license plate. Code Enforcement has inspected property, and the current case will be closed (NUI-2024-0005).

For information purposes: Code Enforcement does not have the ability to run license plates to verify current registration. The only way we have right now is obtaining a copy of registration provided from individuals or to see actual Registration Certificates. Like the Registration Certificate (Antique Vehicle) you provided for the 1988 Toyota.

Thanks,

Tim Wirun // Code Enforcement Officer
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5032 // twirun@SpokaneValleyWA.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Albert Merkel <amerkel@spokanevalleywa.gov>
Sent: Thursday, March 14, 2024 8:23 PM
To: Jenny Nickerson <jnickerson@spokanevalleywa.gov>
Cc: Tim Wirun <twirun@spokanevalleywa.gov>; John Hohman <jhohman@spokanevalleywa.gov>
Subject: Re: Code Enforcement Issue

Civic is registered. Here is license express showing registration. You guys better figure out a better way to deal with restored plates. Citizens should not have to justify a vehicle is registered when it is displaying a legal plate.

Network: Mar 14, 2024 at 8:20:06 PM PDT
Local: Mar 14, 2024 at 8:20:06 PM PDT
N 47° 37' 14.004", W 117° 16' 17.062"
3927 S Sunderland Dr
Spokane Valley WA 99206
United States



8:13



Replace tabs

Email renewal reminders

Report of sale

Remove from list

🚗 1991 HOND CIVIC WG

VIN: JHMEE4762MS002205

Plate #: 509DOL

Tabs Expire:

ALBERT WILLIAM MERKEL

3927 S SUNDERLAND DR SPOKANE VALLEY WA 99206-8629

✔ There are no alerts at this time

Renew tabs

Change address

Replace tabs

Email renewal reminders

Report of sale

Remove from list

Al Merkel | City Council Pos 3
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 828-0097 | amerkel@spokanevalleywa.gov

This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW

Any opinions expressed in this email are intended to only express the opinion of Al Merkel. No opinions, positions, or perspectives expressed shall be construed as the position or a commitment from the city or the council as a whole.

On Mar 14, 2024, at 5:00 PM, Jenny Nickerson <jnickerson@spokanevalleywa.gov> wrote:

Good afternoon, sir,

I have attached the most recent email from Code Enforcement Officer Tim. He notes that the '72 Chevy pickup did not appear to display the license plate consistent with the registration document you provided and that a Honda sedan appeared to be displaying outdated tabs. The email was sent to your personal email address and we were concerned that you may not have received it which is why I'm reaching out via your City email address. Thank you for your time! JRN

Jenny Nickerson, MCP | Building Official
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5305 | jnickerson@spokanevalleywa.gov

This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Albert Merkel <amerkel@spokanevalleywa.gov>
Sent: Thursday, March 14, 2024 4:29 PM
To: John Hohman <jhohman@spokanevalleywa.gov>
Cc: Jenny Nickerson <jnickerson@spokanevalleywa.gov>; Tim Wirun <twirun@spokanevalleywa.gov>
Subject: Re: Code Enforcement Issue

What do you need?

Al Merkel | City Council Pos 3
10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 828-0097 | amerkel@spokanevalleywa.gov

This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW

Any opinions expressed in this email are intended to only express the opinion of Al Merkel. No opinions, positions, or perspectives expressed shall be construed as the position or a commitment from the city or the council as a whole.

On Mar 14, 2024, at 4:23 PM, John Hohman <jhohman@spokanevalleywa.gov> wrote:

Hi Al,

I wanted to let you know that I've authorized Tim Wirun and Jenny Nickerson to correspond with you regarding the outstanding code enforcement complaints on your vehicles. I believe they are asking for some information from you in order to close the case. Please share the requested information with Tim, Jenny, or me at your earliest convenience.

Thanks,
John

<Code Enforcement Case # NUI-2024-0005.pdf>

Jenny Nickerson

From: Tim Wirun
Sent: Friday, March 1, 2024 1:02 PM
To: 'Albert Merkel'
Cc: Jenny Nickerson; Joseph Crane
Subject: RE: code enforcement issue. still haven't been able to talk with you

Thank you very much for providing required documentation. Please make sure that the new license plates for the 1972 Chevrolet truck are on vehicle as soon as possible (CV7150K).

Also, to avoid a potential future Code Enforcement complaint, could you also provide the City the Registration Certificate for the Honda Sedan (DOL-509 DEC 91) that is now parked in the driveway, visible from the Right of Way (03/01/2024) (previously parked on street).

Thank you very much,

Tim Wirun | Code Enforcement Officer
10210 E. Sprague Avenue | Spokane Valley, WA. 99206
(509) 720-5032 | twirun@spokanevalleywa.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Albert Merkel <al@alforval.com>
Sent: Thursday, February 29, 2024 1:45 PM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Cc: Jenny Nickerson <jnickerson@spokanevalleywa.gov>; Joseph Crane <jcrane@spokanevalleywa.gov>
Subject: Re: code enforcement issue. still haven't been able to talk with you

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

attached

On Tue, Feb 27, 2024, 4:03 PM Tim Wirun <twirun@spokanevalleywa.gov> wrote:

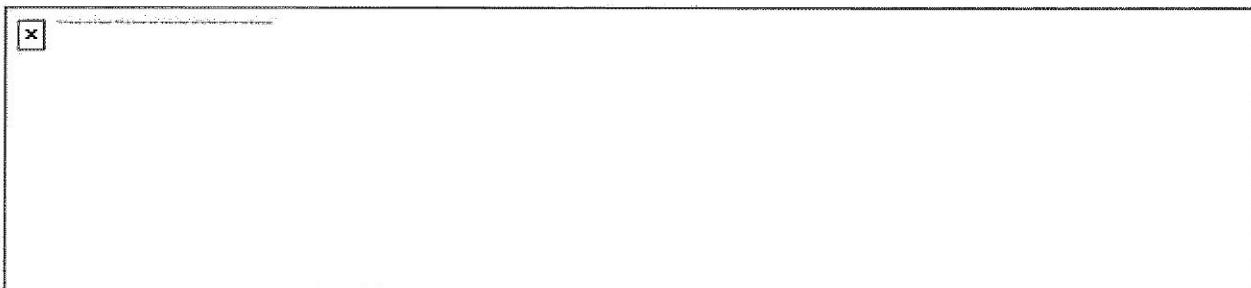
To save time and money you may also scan the Registration certificates for the two(2) vehicles and send them to me. If you would like to meet, we can come to your house to verify current registration.

Thanks,

Tim Wirun | Code Enforcement Officer

10210 E. Sprague Avenue | Spokane Valley, WA. 99206

(509) 720-5032 | twirun@spokanevalleywa.gov



From: Albert Merkel <al@alforval.com>
Sent: Tuesday, February 27, 2024 8:11 AM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Cc: Jenny Nickerson <jnickerson@spokanevalleywa.gov>; Joseph Crane <jcrane@spokanevalleywa.gov>
Subject: Re: code enforcement issue. still haven't been able to talk with you

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

yes all cars are registered. let me know when and where to meet,

On Tue, Feb 27, 2024, 8:02 AM Tim Wirun <twirun@spokanevalleywa.gov> wrote:

Al: The only concern that Code Enforcement has are the two(2) vehicles in your driveway that do not appear to have current (2024, 2025) vehicle registration. The vehicles which are visible from the City of Spokane Valley Right of Way are: Toyota – plate 390-DEL and Chevrolet truck C03819W. If these vehicles have current registration, Code Enforcement can meet you to verify this at your convenience and close case NUI-2024-0005.

Thanks,

Tim Wirun | Code Enforcement Officer

10210 E. Sprague Avenue | Spokane Valley, WA. 99206

(509) 720-5032 | twirun@spokanevalleywa.gov

From: Albert Merkel <al@alforval.com>

Sent: Monday, February 26, 2024 3:44 PM

To: Tim Wirun <twirun@spokanevalleywa.gov>

Subject: code enforcement issue. still haven't been able to talk with you

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

dear Tim, not sure what the issue is, all my vehicles are registered.

Al Merkel

Jenny Nickerson

From: Albert Merkel <al@alforval.com>
Sent: Thursday, February 29, 2024 1:45 PM
To: Tim Wirun
Cc: Jenny Nickerson; Joseph Crane
Subject: Re: code enforcement issue. still haven't been able to talk with you
Attachments: image002.png; IMG_20240229_134433.jpg; IMG_20240229_134430.jpg

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

attached

On Tue, Feb 27, 2024, 4:03 PM Tim Wirun <twirun@spokanevalleywa.gov> wrote:

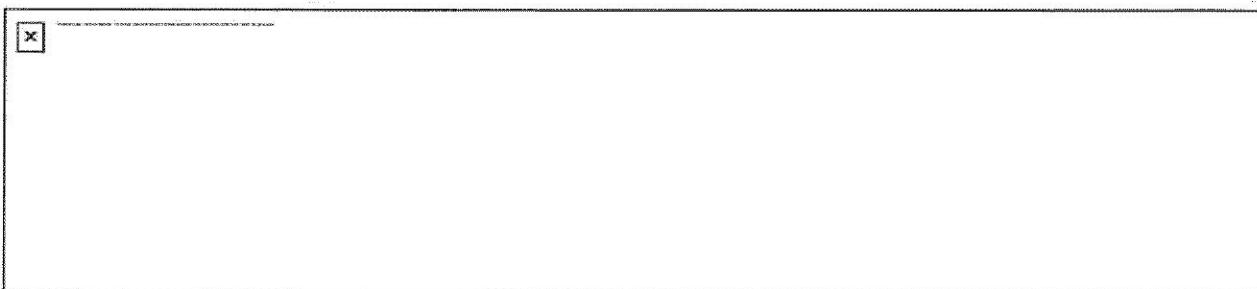
To save time and money you may also scan the Registration certificates for the two(2) vehicles and send them to me. If you would like to meet, we can come to your house to verify current registration.

Thanks,

Tim Wirun | Code Enforcement Officer

10210 E. Sprague Avenue | Spokane Valley, WA. 99206

(509) 720-5032 | twirun@spokanevalleywa.gov



From: Albert Merkel <al@alforval.com>
Sent: Tuesday, February 27, 2024 8:11 AM

To: Tim Wirun <twirun@spokanevalleywa.gov>
Cc: Jenny Nickerson <jnickerson@spokanevalleywa.gov>; Joseph Crane <jcrane@spokanevalleywa.gov>
Subject: Re: code enforcement issue. still haven't been able to talk with you

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

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Tim Wirun | Code Enforcement Officer
10210 E. Sprague Avenue | Spokane Valley, WA. 99206
(509) 720-5032 | twirun@spokanevalleywa.gov

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Sent: Monday, February 26, 2024 3:44 PM
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Cc: Jenny Nickerson; Joseph Crane
Subject: RE: code enforcement issue. still haven't been able to talk with you

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Thanks,

Tim Wirun | Code Enforcement Officer
10210 E. Sprague Avenue | Spokane Valley, WA. 99206
(509) 720-5032 | twirun@spokanevalleywa.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Albert Merkel <al@alforval.com>
Sent: Tuesday, February 27, 2024 8:11 AM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Cc: Jenny Nickerson <jnickerson@spokanevalleywa.gov>; Joseph Crane <jcrane@spokanevalleywa.gov>
Subject: Re: code enforcement issue. still haven't been able to talk with you

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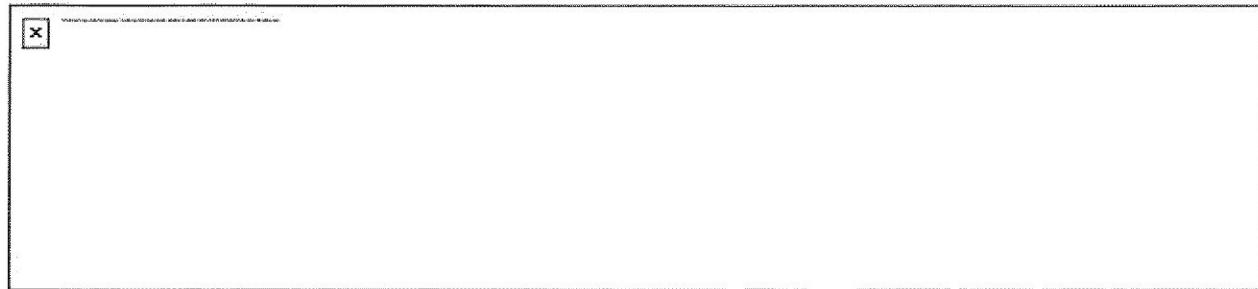
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Thanks,

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10210 E. Sprague Avenue | Spokane Valley, WA. 99206

(509) 720-5032 | twirun@spokanevalleywa.gov



From: Albert Merkel <al@alforval.com>
Sent: Monday, February 26, 2024 3:44 PM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Subject: code enforcement issue. still haven't been able to talk with you

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

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AI Merkel

Jenny Nickerson

From: Tim Wirun
Sent: Tuesday, February 27, 2024 8:01 AM
To: Albert Merkel
Cc: Jenny Nickerson; Joseph Crane
Subject: RE: code enforcement issue. still haven't been able to talk with you
Attachments: TC_00278 (4).jpeg; TC_00279 (4).jpeg

AI: The only concern that Code Enforcement has are the two(2) vehicles in your driveway that do not appear to have current (2024, 2025) vehicle registration. The vehicles which are visible from the City of Spokane Valley Right of Way are: Toyota – plate 390-DEL and Chevrolet truck C03819W. If these vehicles have current registration, Code Enforcement can meet you to verify this at your convenience and close case NUI-2024-0005.

Thanks,

Tim Wirun | Code Enforcement Officer
10210 E. Sprague Avenue | Spokane Valley, WA. 99206
(509) 720-5032 | twirun@spokanevalleywa.gov



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From: Albert Merkel <al@alforval.com>
Sent: Monday, February 26, 2024 3:44 PM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Subject: code enforcement issue. still haven't been able to talk with you

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

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AI Merkel



10210 East Sprague Avenue ♦ Spokane Valley WA 99206
(509) 720-5000 ♦ Fax: (509) 720-5075 ♦ cityhall@spokanevalley.org

WARNING NOTICE OF VIOLATION CODE ENFORCEMENT CASE # NUI-2024-0005

Please call/email the code enforcement officer at the bottom of this letter if needed to discuss compliance or if you have questions.

Property address: 3927 S. Sunderland Drive. Spokane Valley, WA. 99206

Property parcel number: 45325.2907

Responsible parties:

- MERKEL, ALBERT
- Each tenant or resident of the property not named above, addressed herein as J. Doe 1-10.

Citizen Complaint: Junk unregistered/unlicensed vehicle(s) reported at this location.

Code Violation:

- **Spokane Valley Municipal Code 7.05.040 Nuisances Prohibited:**
 - N. Junk Vehicles and Unlicensed Vehicles. All junk vehicles and unlicensed vehicles, or parts thereof, placed, stored, or permitted to be located on private property within the City limits.

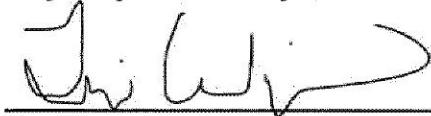
Compliance Requirements:

- Ensure vehicle(s) are displaying valid license plate(s) with current registration.

Compliance date: MARCH 06, 2024

Consequences for failure to comply: Failure to correct the violation(s) outlined above by the end of the compliance date, or enter into a voluntary compliance agreement, will result in the issuance of a Notice and Order, as provided in SVMC 17.100.050 and 17.100.130, with a minimum civil penalty of \$500. The case may then be referred to the City Attorney's office for abatement.

City of Spokane Valley Code Enforcement Officer:



Tim Wirun | Code Enforcement Officer

02/07/2024

10210 E. Sprague Avenue | Spokane Valley, WA 99206
(509) 720-5032 | twirun@spokanevalleywa.gov

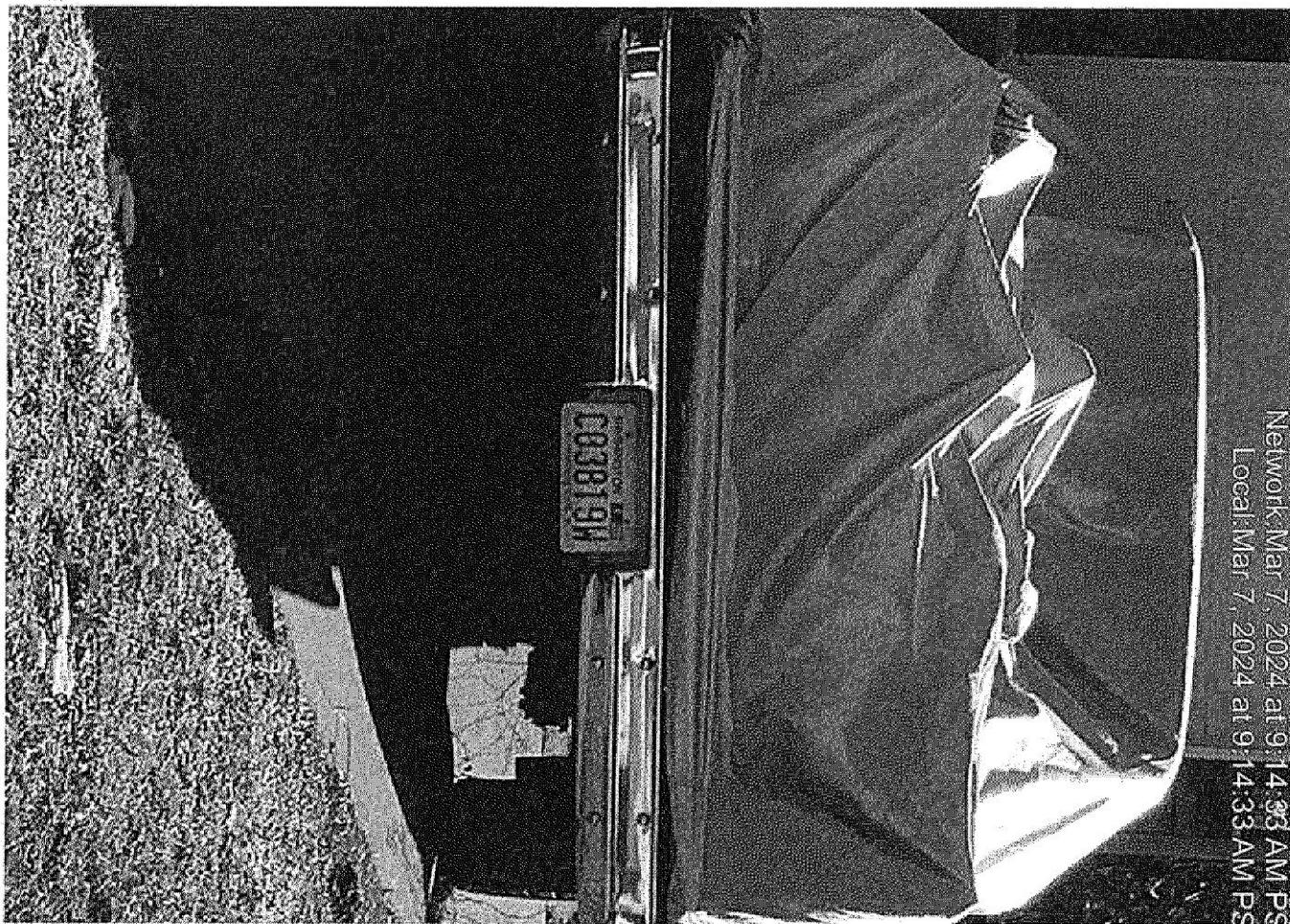


Local Mar 15, 2024 at 9:45:01 AM PDT

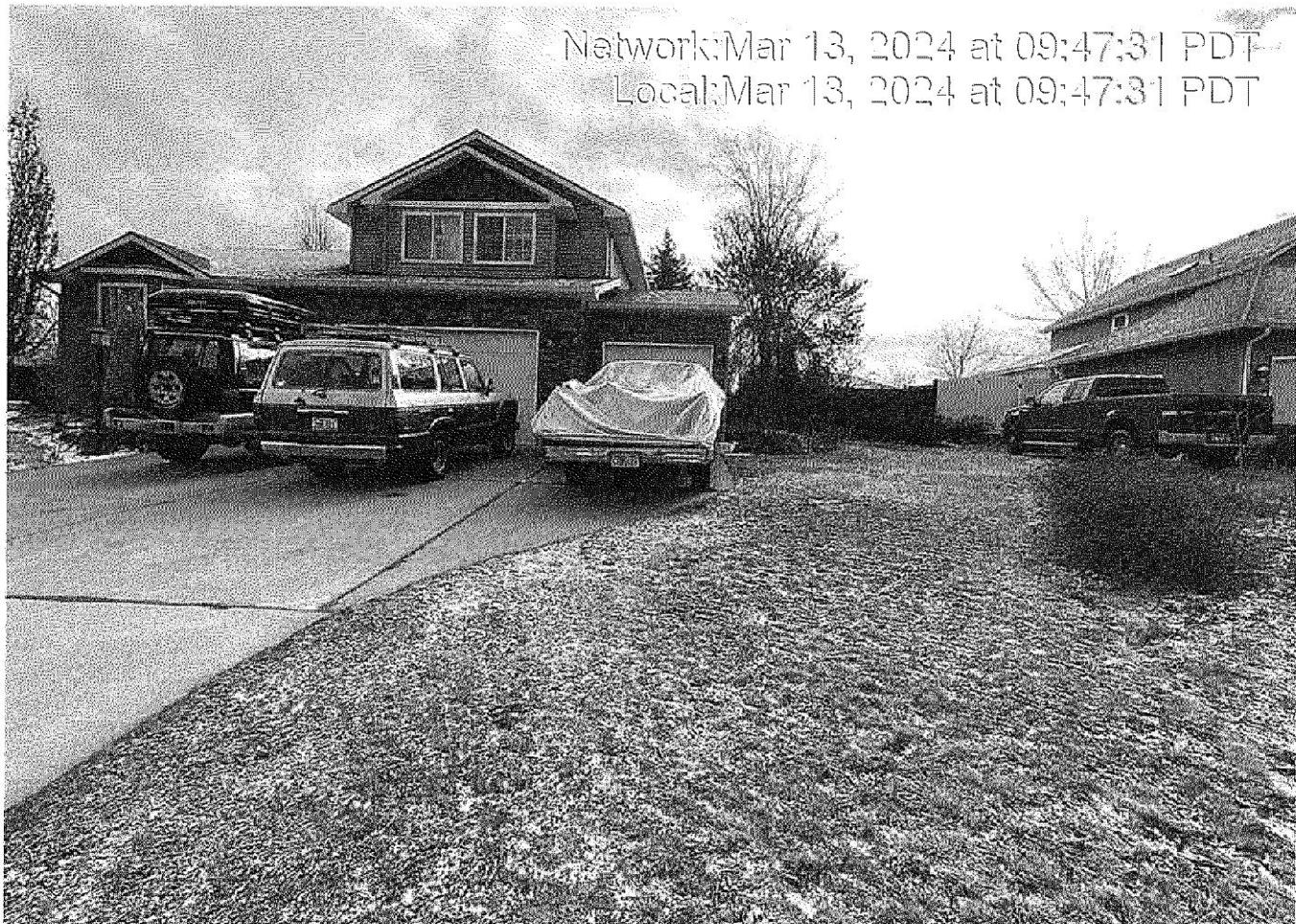


Local Mar 7, 2024 at 9:43:30 AM PST





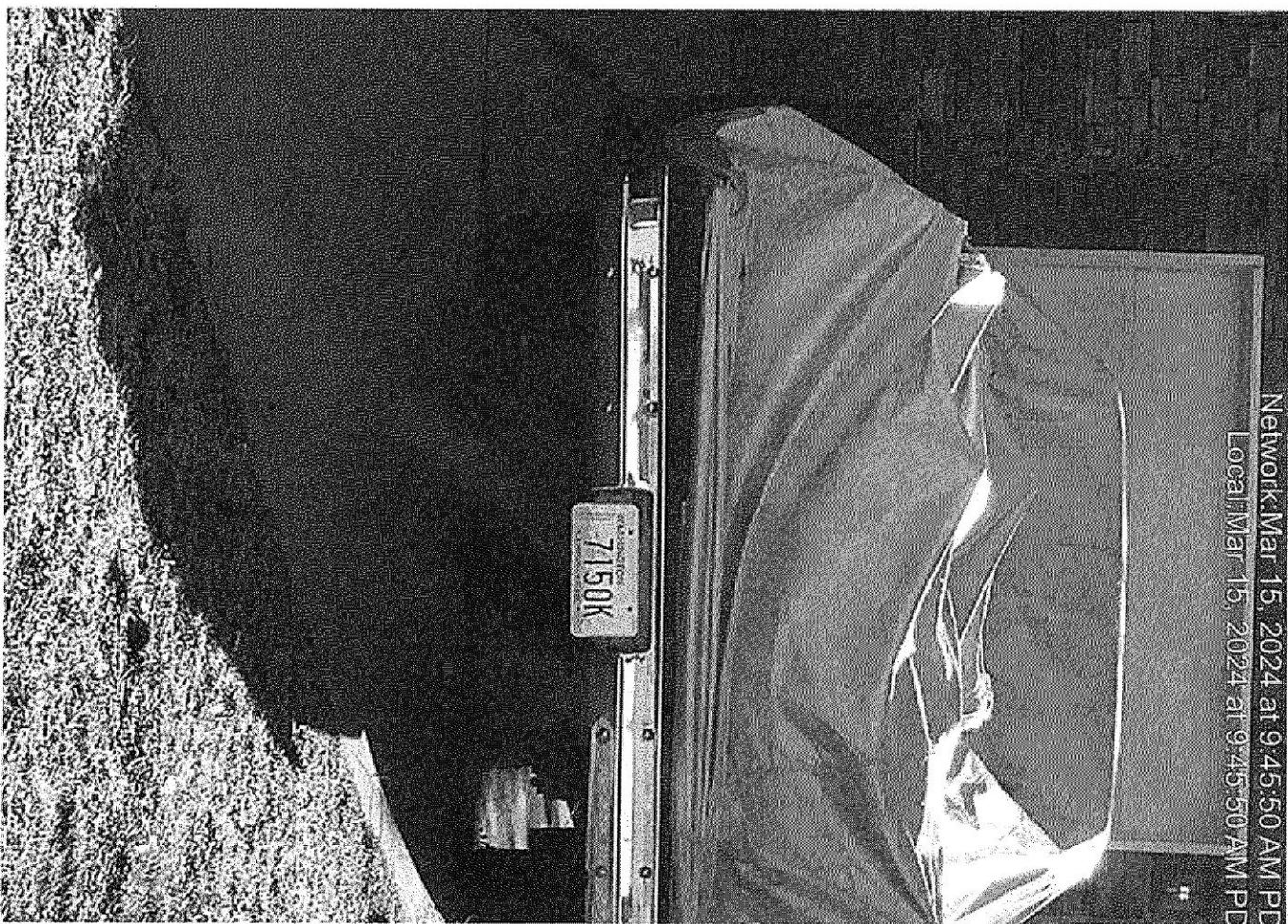
Network: Mar 7, 2024 at 9:14:33 AM PS
Local: Mar 7, 2024 at 9:14:33 AM PS



Network: Mar 13, 2024 at 09:47:31 PDT
Local: Mar 13, 2024 at 09:47:31 PDT

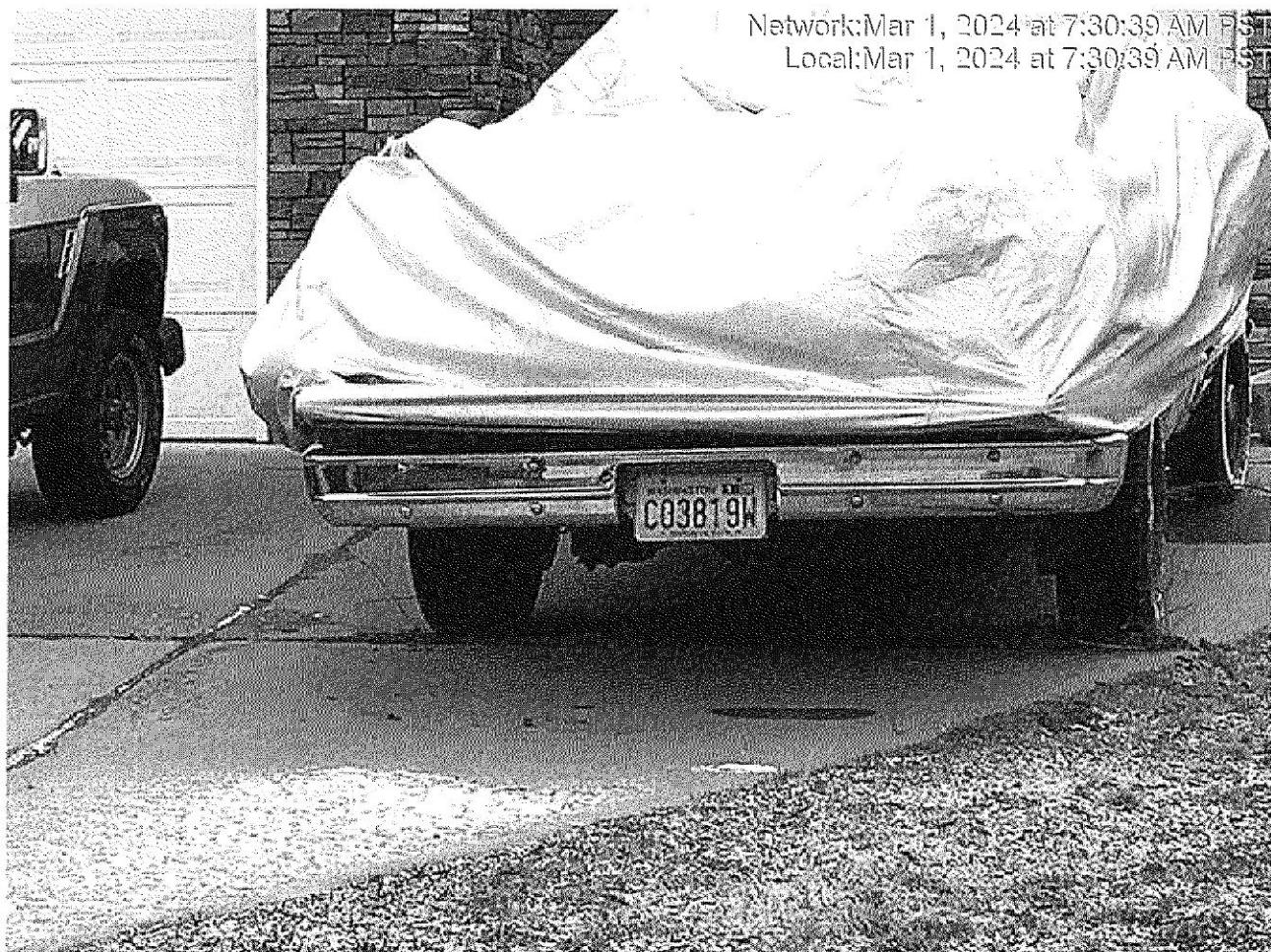
Network Mar 13, 2024 at 09:47:26 PDT

Local Mar 13, 2024 at 09:47:26 PDT



Network Mar 15, 2024 at 9:45:50 AM PDT

Local Mar 15, 2024 at 9:45:50 AM PDT



Network Mar 1 2024 at 7:30 AM PST
Local Mar 1 2024 at 7:30:44 AM PST





Network: Feb 6, 2024 at 11:41:35 AM PST
Local: Feb 6, 2024 at 11:41:35 AM PST



Network: Feb 6, 2024 at 11:41:40 AM PST
Local: Feb 6, 2024 at 11:41:40 AM PST





New York, Feb 6, 2024 at 11:41:57 AM PST
Local, Feb 6, 2024 at 11:41:57 AM PST

EXHIBIT C



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2023-0334

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

Status CLOSED - NO VIOLATION

Parent #

GENERAL	07/03/2023	Service Request 27295 Garbage, weeds and junk vehicles
GENERAL	07/11/2023	Site inspection/photos. Unable to determine violation from site visit.
REPORT	02/22/2024	CE Case Notes
REPORT	02/22/2024	Complaint Printout



City of Spokane Valley

10210 E. Sprague Ave.
Spokane Valley, WA 99206
509-720-5240

CASE # NUI-2023-0334

Complaint Type: CE-NUISANCE

Complaint Status: CLOSED - NO VIOLATION

Date Submitted: 07/03/2023

Date Closed: 07/19/2023

Violator Information

Name:

Address:

Home:

Work:

Location

Street: 3927 S SUNDERLAND DR

City: Spokane Valley **St:** WA **Zip:** 99206

Location:
Intersection:

Nature Of Complaint

Service Request 27295

Garbage, weeds and junk vehicles

Parcel Information

Parcel #

45325.2907

Parcel Address

3927 S SUNDERLAND DR
Spokane Valley, WA 99206

Owner Name

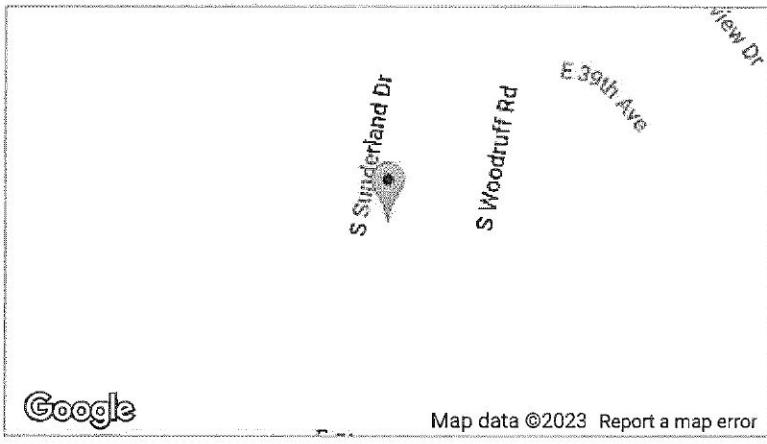
MERKEL, ALBERT

Owner Address

3927 S SUNDERLAND DR
SPOKANE, WA 99206

Service Request 27295

Record Info

Request ID:	27295	Request Type:	Accumulation of Garbage
Priority:	2	Entered By:	anonymous
Date Submitted:	7/1/2023 7:42:00 PM	Cross Street:	
Address:	3927 S Sunderland Dr Spokane Valley		
			
District:			
Comments:	Garbage, weeds and junk vehicles		
Private Notes:			
Disclosure of Identity:	Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.		
Electronic Signature:			
Date:	7/1/2023		

Submitter Info

Name:		Email:	ravmiesen@gmail.com
Address:	S. Sunderland Dr Spokane Valley, WA 99206		
Phone #:			
Alt. Phone #:			
Notify:	<input checked="" type="checkbox"/>		
Business Name:			

Activity List

Date:	7/1/2023 7:42:00 PM
User:	anonymous
Comments:	Service Request Open - ID 27295 Routed To: CodeEnforcement, Front Reception Comments: Garbage, weeds and junk vehicles
Date:	7/1/2023 7:42:00 PM
User:	anonymous
Comments:	An automated email has been sent to the submitter(s): ravmiesen@gmail.com

Date: 7/3/2023 8:45:00 AM
User: jpohl
Comments: NUI-2023-0334
Thank you for contacting the City of Spokane Valley. Please be advised that your concern has been routed to the Code Enforcement Officer for investigation. For updates please contact us at (509) 720-5240 and reference the above case number.

Date: 7/3/2023 8:45:00 AM
User: jpohl
Comments: An automated email has been sent to the submitter(s): 2@gmail.com

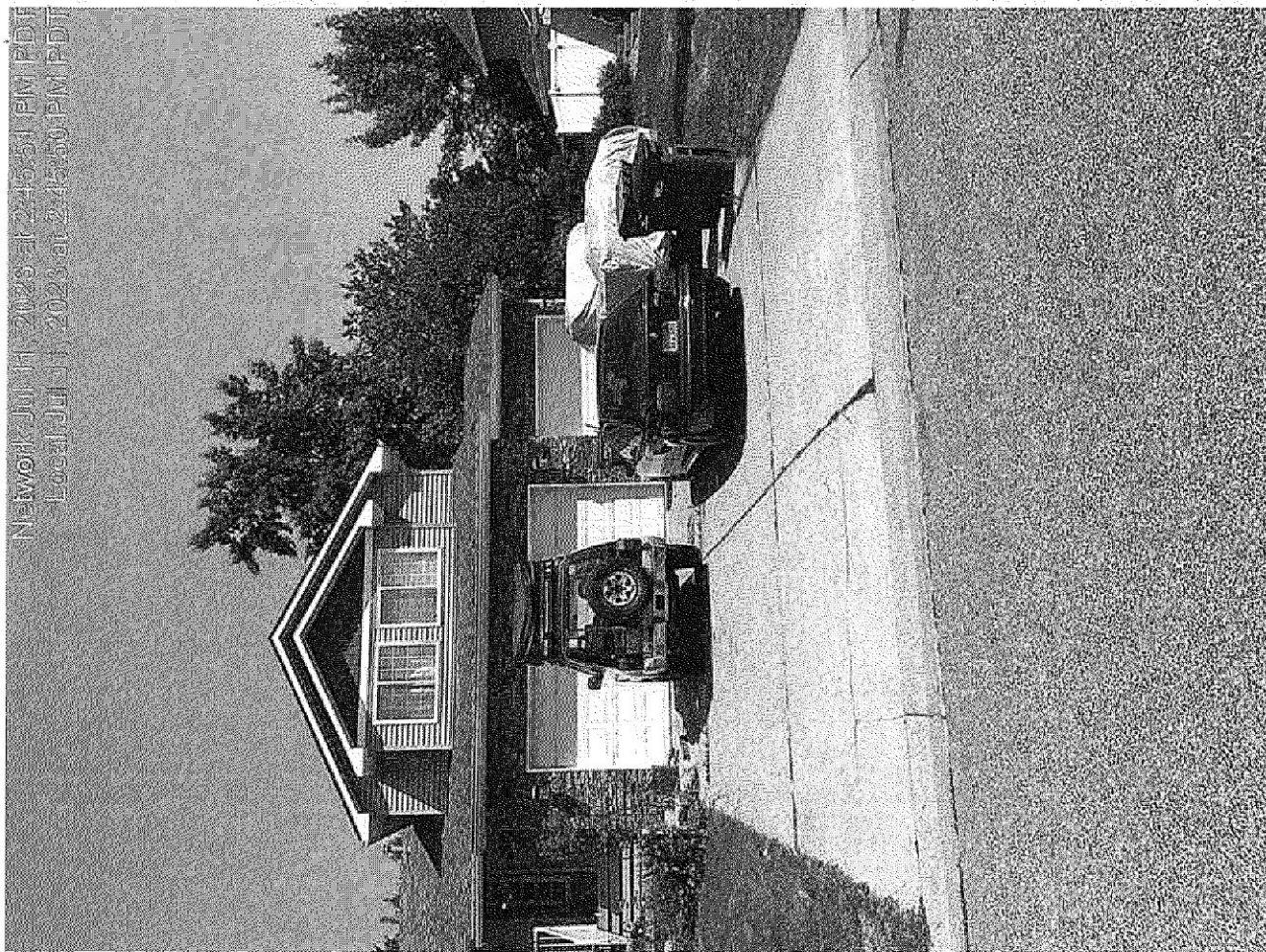


EXHIBIT D



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2022-0487

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

Status CLOSED - NO VIOLATION

Parent #

DOCUMENT LINK

11/15/2022

Service Request 25449

Code enforcement needs to do something about all the vehicles on this property. It is a health concern and an eyesore.

REPORT

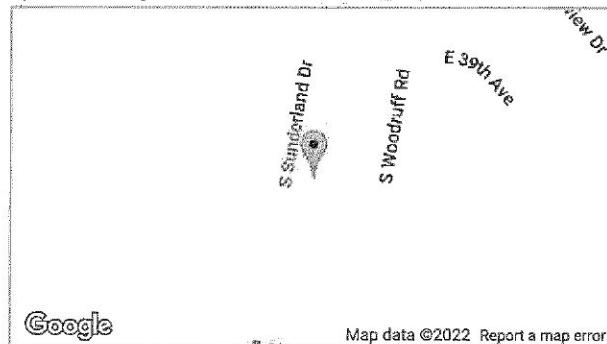
11/16/2022

Performed site inspection, no violations of SVMC pertaining to junk vehicles at this time.

Service Request 25449

Order Info

Request ID: 25449 Request Type: Nuisance House
Priority: 2 Entered By: anonymous
Date Submitted: 11/15/2022 2:18:00 PM Cross Street:
Address: 3927 S Sunderland Dr
Spokane Valley



District:

Comments: Code enforcement needs to do something about all the vehicles on this property. It is a health concern and an eyesore.

Private Notes:

Disclosure of Identity:

Electronic Signature:

Date:

Submitter Info

Name: Email: @aol.com
Address: 3927 Mansfield Ave
Spokane Valley, WA 99016
Phone #: Extension:
It. Phone #: Extension:
Notify:
Business Name:

Activity List

Date: 11/15/2022 2:18:00 PM
User: anonymous
Comments: Service Request Open - ID 25449
Routed To: Engineering Admin, sarit
Comments: Code enforcement needs to do something about all the vehicles on this property. It is a health concern and an eyesore.

Additional Info: This request was created using a mobile device. The location as entered by the submitter was: 3927 S Sunderland Dr Spokane Valley WA 99206 United States

Date: 11/15/2022 2:18:00 PM
User: anonymous
Comments: An automated email has been sent to the submitter(s): badge1010@aol.com

Date: 11/15/2022 3:45:00 PM
User: jpohl
Comments: Service request type changed from "Illegal Dumping" to "Nuisance House" by jpohl

Date: 11/15/2022 3:45:00 PM
User: jpohl
Comments: Service Request rerouted to CodeEnforcement, Front Reception

Date: 11/15/2022 3:48:00 PM
User: jpohl
Comments: NUI-2022-0487
Thank you for contacting the City of Spokane Valley. Please be advised that your concern has been routed to the Code Enforcement Officer for investigation. For updates please contact us at (509) 720-5240 and reference the above case number.

Comments:

An automated email has been sent to the submitter(s):

@aol.com

EXHIBITE E



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2022-0314

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

Status CLOSED

Parent #

DOCUMENT LINK

08/16/2022

For months, this suburban homeowner has had seven vehicles in the front yard of his 1/3 acre property. Four vehicles are non-operational, two in the street, one in the driveway, and one in the two-car garage (doors are now open 24/7 due to an expanding collection of other junk). Three cars are operational and often parked on the street. As time marches on, there is other miscellaneous junk overflowing onto the driveway and yard.

As you will see, the disabled junk cars are completely uncharacteristic of this otherwise well kept neighborhood and this residence stands out in a negative way along the entire block. I am hoping that SV code enforcement will encourage the homeowner to clean up the property by at least removing the inoperational vehicles from the driveway and street.

Thank you for your attention to this problem!

GENERAL

08/17/2022

Site inspection/ photos. Observed many vehicles parked on roadway, driveway and side yard. Accumulation of trash, misc items in driveway, front sidewalk and stairs up to front door.

GENERAL

08/18/2022

Warning Notice sent 08/18/2022

GENERAL

09/12/2022

Spoke with property owner Al Merkel (202) 714-8725. Will meet on Friday 09/16/2022 @ 1300-1500. Call first

DOCUMENT LINK

09/15/2022

For the past 6 months, Al has had 3 vehicles in the street that do not run. He has another car in the driveway that doesn't run either. For 2 drivers in the family, they have 7 cars.

(see attachment for continued complaint)

The occupant of this home has turned his property into what appears to be a junker auto repair shop. There are multiple old cars parked on the street and in the driveway and one halfway in the garage stripped down with parts and garbage strewn everywhere on the property. The entire property is an eyesore. Just a few years ago, this was one of the nicest homes on our street as the previous owner did some major outdoor renovations. Now, it's endangering the value of all our homes and is easily the worst house on our street.

(I checked no to "permission to view from our property" because our property is further down the street and you would not be able to view the property in question from our lot.)

DOCUMENT LINK

09/15/2022

Attempted to meet with property owner on September 16, 2022. Called left message. Site visit, no one home. Left contact info and Junk vehicle SVMC. Yard has been cleaned up but vehicles are still present

GENERAL

09/19/2022

Again spoke with Al Merkel. He will call me Friday 09/23/2022 to set up good time to meet at his property on 3927 Sunderland.

GENERAL

09/22/2022

Spoke with Al Merkel 09/23/2022 @ 0930. Meeting him at his residence - 11:00.

GENERAL

09/23/2022

Met with property owner. Al Merkel @ 11:00. We went over junk vehicle SVMC and the vehicles in his driveway do not meet the criteria for valley code. Trash in front driveway and yard has been cleaned up. SUV on street is a L/E - Crime Check issue.

GENERAL

09/23/2022

Jenny Nickerson

From: Mintzer, Jerushah E. <JMINTZER@spokanecounty.org>
Sent: Thursday, September 15, 2022 11:01 AM
To: Code Enforcement
Subject: Code Enforcement Complaint
Attachments: 1049_001.pdf

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Good Morning,
Attached is a Code Enforcement Complaint we received today, however the address is located in the city limits of Spokane Valley,
so I am forwarding this to your department.
Please let me know if you need anything else.

Many Thanks,
Jerushah Mintzer
Services Coordinator II
Spokane County Building & Planning
1026 W. Broadway Avenue
Spokane WA, 99260
Office: 509-477-3675
jmintzer@spokanecounty.org

From: Steve Barnes <SteveBar@spokaneschools.org>
Sent: Wednesday, September 14, 2022 3:56 PM
To: Building and Planning Help <BPHELP@spokanecounty.org>
Subject: FW: Scanned PDF from LIDGcopier

Attached is a Code Enforcement Complaint Form.

Please call me at 509-570-4640 if you have any questions.
Steve

From: LIDGcopier <LIDGScanner@spokaneschools.org>
Sent: Wednesday, September 14, 2022 3:55 PM
To: Steve Barnes <SteveBar@spokaneschools.org>
Subject: Scanned PDF from LIDGcopier



CODE ENFORCEMENT COMPLAINT FORM

Spokane County Department of Building & Planning

1026 W Broadway Avenue Spokane, WA 99260-0050

509-477-3675

bphelp@spokanecounty.org

What is Code Enforcement?

Rules governing the use of private property are intended to protect the public health, safety, and welfare of all citizens. The Building & Planning Department is responsible for enforcing the provisions of RCW's, County Codes, and other Ordinances related to building codes, zoning, subdivisions, shorelines, and critical areas. Each ordinance also contains penalties that may be imposed when a property owner refuses to correct a cited violation.

Who may file a complaint and when may it be filed?

Any citizen may file a complaint whenever they observe conditions, uses of property or structures that are improper or potentially hazardous.

How is a complaint filed?

Except where an immediate life safety hazard exists, compliance actions begin with either a signed complaint form or written documentation from a public agency. Once the complaint form is complete, you may submit the form by email to bphelp@spokanecounty.org, by mail, or in person to the Spokane County Building & Planning Department located at 1026 W Broadway, Spokane, WA 99260.

What happens once I've submitted my written complaint?

The investigation process will typically begin once a code enforcement complaint has been received and processed. In order for the Building & Planning Department to begin compliance actions, the violation must be documented from the road or from a neighboring property who has granted permission to view the site. Actual resolution of the issue can take weeks, months, and possibly longer, depending on the complexity of the issue and legal ramifications.

REPORTER INFORMATION

This section must be completed before Spokane County can act on this matter. Anonymous complaints are not accepted.

Please Print

Your Name: Steve Barnes

Your Address: 3921 3rd Sunderland Drive

City: Spokane Valley ZIP: 99206

Phone Number: Daytime 509-570-4440 Evening 509-570-4440

Email Address: stevebarnes921@aol.com

If necessary, may we have permission to enter your property to view the subject violation? YES X NO

Confidentiality Preference: If you believe that disclosure of your identity would threaten your safety or property, you may request that your identity not be disclosed under Chapter 42.56.240 RCW. Be advised, disclosure of information revealing your identity will depend on application of this Chapter (the Public Disclosure Law), other applicable laws, and whether the complainant is criminally prosecuted. With that understanding, **PLEASE INDICATE YOUR DESIRE FOR DISCLOSURE OR NON-DISCLOSURE OF YOUR IDENTITY BY CHECKING THE APPROPRIATE BOX, AND SIGN AND DATE BELOW**

My identity can be disclosed.

Do not disclose my identity. I believe disclosure would threaten my safety or property.

Your Signature: Steve Barnes

Date: Sept 11, 2022

** I am the neighbor of this property and very concerned.*

THIS SECTION IS ABOUT THE ALLEGED VIOLATION – BE CONCISE AND COMPLETE

Please provide photographs, maps, or other documentation to substantiate the violation

PROPERTY OWNER (IF KNOWN): Al Meeker

OCCUPANTS OF PROPERTY (IF KNOWN): Al, Stephanie & daughter

ADDRESS/PARCEL NO. OF THE SITE/PROPERTY:

3927 3. Sunderland Drive

IF NO ADDRESS IS AVAILABLE, PROVIDE A DETAILED DESCRIPTION:

NATURE OF COMPLAINT:

For the past 6 months Al has had 3 vehicles in the street that do not run. He has another car in the driveway that doesn't run either. For 3 drivers in the family, they have 1 car.

My major concern is about the non-working car in the street with the family of 4, and a 16 passenger van parked out in the front yard. Typically, parking is in the front yard during most the day.

This is a very nice, clean, well-kept neighborhood and this home is an eyesore for the community. I have spoken with an attorney today on this subject concerning this. This property and 1923 is a disgrace to the entire Somersa community.

Thank you for looking into this matter.

OFFICIAL USE ONLY

Date Received:

Case No.:

EXHIBIT F



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2021-0458

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

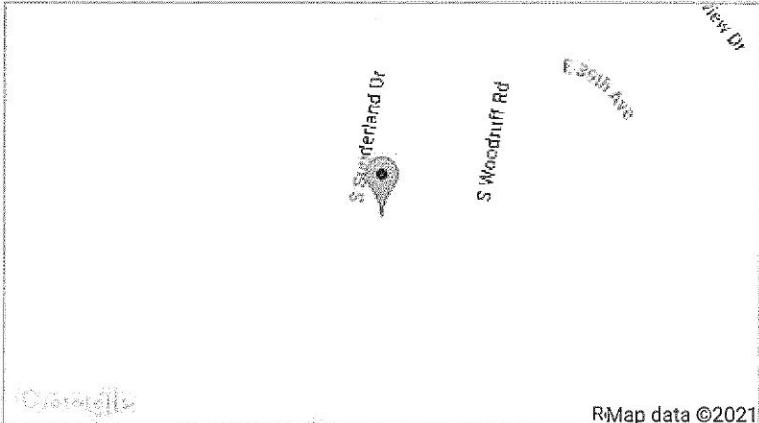
Status CLOSED - NO VIOLATION

Parent #

GENERAL	11/29/2021	Called complainant and LM to discuss. Complaint is not a CE violation at this time. Pictures attached with complaint.
DOCUMENT LINK	11/29/2021	Service Request 22636 Garbage, junk vehicles, tires. Garbage blows in neighbors yard. I mistakenly put 4002 S Sunderland on the previous complaint. It's 3927 S. Sunderland.
DOCUMENT LINK	11/29/2021	Q-Alert 22635 Garbage left outside. Blows in neighbors yards. Junk vehicles and tires

Service Request 22635

Record Info

Request ID:	22635	Request Type:	Accumulation of Garbage
Priority:	2	Entered By:	anonymous
Date Submitted:	11/29/2021 10:47:00 AM	Cross Street:	
Address:	3927 S Sunderland Dr Spokane Valley		
District:			
Additional Info:	<p>Information revealing the identity of persons who are witnesses to or victims of a crime or who file complaints with this agency is exempt from public disclosure, if disclosure would endanger any person's life, physical safety or property. RCW 42.56.240(2). Please indicate your desire for disclosure or non-disclosure of your identity by selecting the appropriate response, and sign and date below. In the event you select nondisclosure, the City will redact identifying information such as listed name, address, and phone number, subject to application of the Public Records Act, other applicable laws, and whether the complaint is criminally prosecuted. The City cannot guarantee that in the future all submitted identifying information will be exempt from disclosure under the law, or that all identifying information will be withheld from disclosure. If there is any personal information you do not wish to become public, please do not include it on this form.</p>		
Comments:	Garbage left outside. Blows in neighbors yards. Junk vehicles and tires.		
Private Notes:			
Disclosure of Identity:	Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.		
Electronic Signature:			
Date:	12/6/2021		

Submitter Info

Name:		Email:	@gmail.com
Address:	. Sunderland Dr. Spokane, WA 99206		
Phone #:			
Alt. Phone #:	Extension:		
Notify:	<input checked="" type="checkbox"/>		
Business Name:			

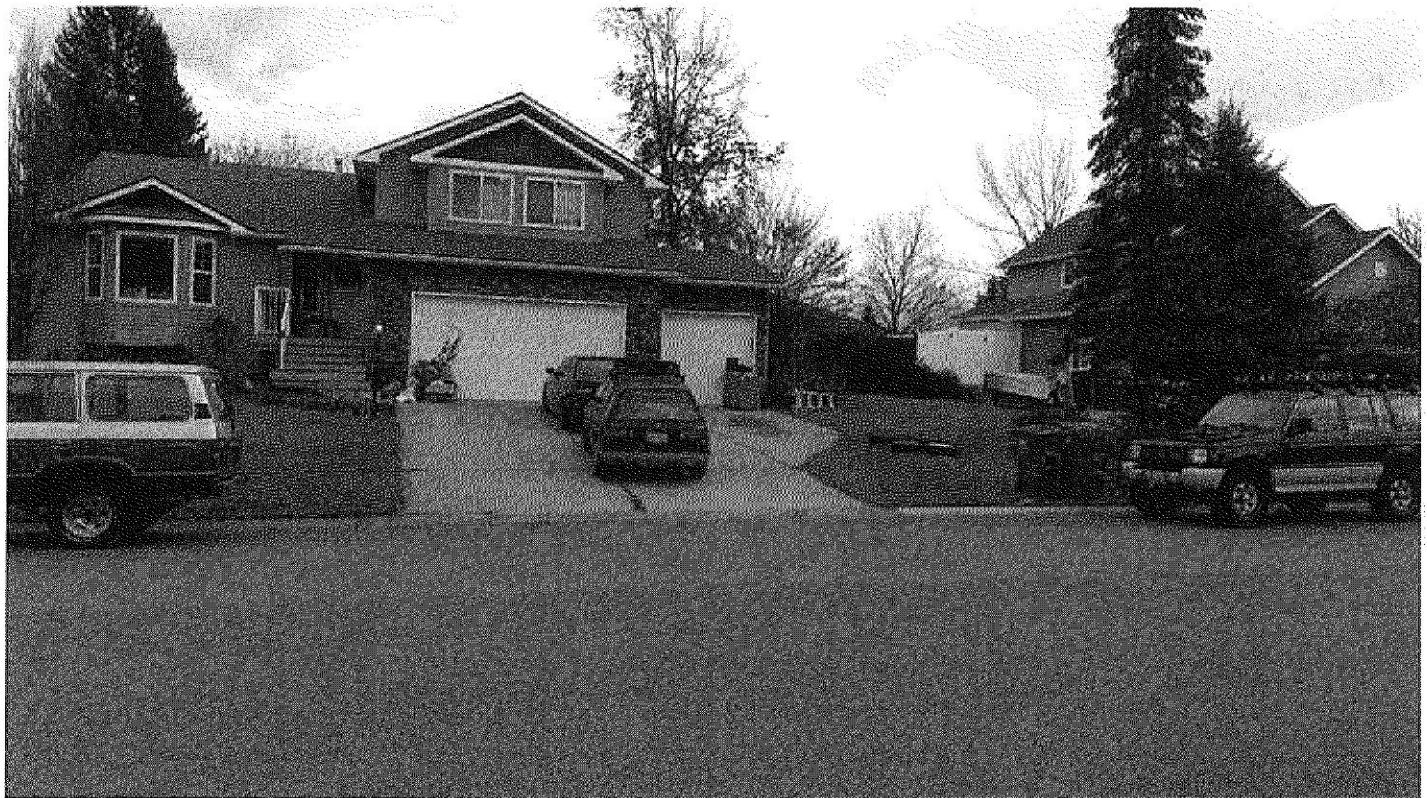
Attachments



Uploaded On: Monday, November 29, 2021 10:47 AM



Uploaded On: Monday, November 29, 2021 10:47 AM



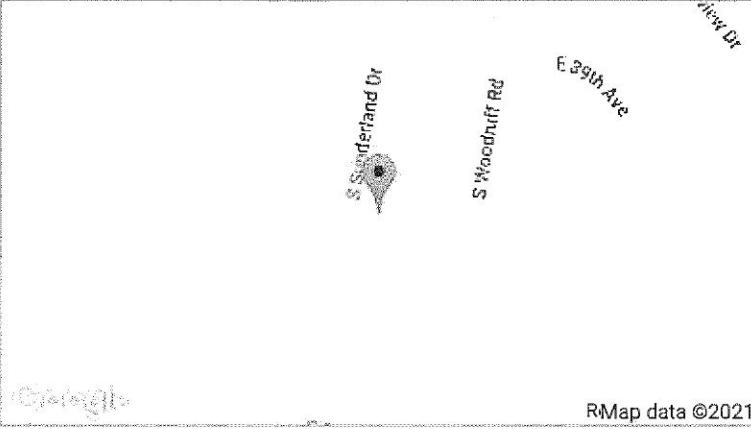
Uploaded On: Monday, November 29, 2021 10:47 AM

Activity List

Date:	11/29/2021 10:47:00 AM
User:	anonymous
Comments:	Service Request Open - ID 22635 Routed To: CodeEnforcement, Front Reception Comments: Garbage left outside. Blows in neighbors yards. Junk vehicles and tires.
Date:	11/29/2021 10:47:00 AM
User:	anonymous
Comments:	An automated email has been sent to the submitter(s): .@gmail.com
Date:	11/29/2021 12:24:00 PM
User:	chinshaw
Comments:	NUI-2021-0458 Complaint is not a code enforcement violation.

Service Request 22636

Record Info

Request ID:	22636	Request Type:	Accumulation of Garbage
Priority:	2	Entered By:	anonymous
Date Submitted:	11/29/2021 10:54:00 AM	Cross Street:	
Address:	3927 S Sunderland Dr Spokane Valley		
District:			
Additional Info:	<p>Information revealing the identity of persons who are witnesses to or victims of a crime or who file complaints with this agency is exempt from public disclosure, if disclosure would endanger any person's life, physical safety or property. RCW 42.56.240(2). Please indicate your desire for disclosure or non-disclosure of your identity by selecting the appropriate response, and sign and date below. In the event you select nondisclosure, the City will redact identifying information such as listed name, address, and phone number, subject to application of the Public Records Act, other applicable laws, and whether the complaint is criminally prosecuted. The City cannot guarantee that in the future all submitted identifying information will be exempt from disclosure under the law, or that all identifying information will be withheld from disclosure. If there is any personal information you do not wish to become public, please do not include it on this form.</p>		
Comments:	Garbage, junk vehicles, tires. Garbage blows in neighbors yard. I mistakenly put 4002 S Sunderland on the previous complaint. It's 3927 S. Sunderland.		
Private Notes:			
Disclosure of Identity:	Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.		
Electronic Signature:			
Date:	11/29/2021		

Submitter Info

Name:			
Address:	Sunderland Dr. Spokane, WA 99206		
Phone #:			
Alt. Phone #:	Extension:		
Notify:	<input checked="" type="checkbox"/>		

Attachments



Uploaded On: Monday, November 29, 2021 10:54 AM



Uploaded On: Monday, November 29, 2021 10:54 AM



Uploaded On: Monday, November 29, 2021 10:54 AM

Activity List

Date:	11/29/2021 10:54:00 AM
User:	anonymous
Comments:	Service Request Open - ID 22636 Routed To: CodeEnforcement, Front Reception Comments: Garbage, junk vehicles, tires. Garbage blows in neighbors yard. I mistakenly put 4002 S Sunderland on the previous complaint. It's 3927 S. Sunderland.
<hr/>	
Date:	11/29/2021 10:54:00 AM
User:	anonymous
Comments:	An automated email has been sent to the submitter(s): @gmail.com
<hr/>	
Date:	11/29/2021 12:20:00 PM
User:	chinshaw
Comments:	NUI-2021-0458 Complaint is not a code enforcement violation.

EXHIBIT G



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2021-0445

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

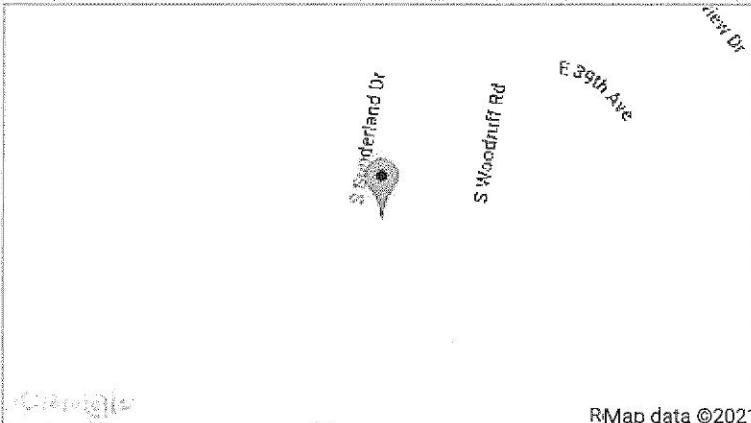
Status CLOSED - NO VIOLATION

Parent #

DOCUMENT LINK	11/15/2021	Service Request 22524 Boxes, garbage, misc. items all over. Garbage blowing in our yards.
GENERAL	11/15/2021	Site visit. No accumulation of materials or items seen. Property is clean. There are a few items in the back of a the truck but it does not warrant a code enforcement violation. Case closed.
REPORT	02/22/2024	CE Case Notes
REPORT	02/22/2024	Complaint Printout

Service Request 22524

Record Info

Request ID:	22524	Request Type:	Accumulation of Garbage
Priority:	2	Entered By:	anonymous
Date Submitted:	11/14/2021 12:23:00 PM	Cross Street:	
Address:	3927 S Sunderland Dr Spokane Valley		
District:			
Additional Info:	<p>Information revealing the identity of persons who are witnesses to or victims of a crime or who file complaints with this agency is exempt from public disclosure, if disclosure would endanger any person's life, physical safety or property. RCW 42.56.240(2). Please indicate your desire for disclosure or non-disclosure of your identity by selecting the appropriate response, and sign and date below. In the event you select nondisclosure, the City will redact identifying information such as listed name, address, and phone number, subject to application of the Public Records Act, other applicable laws, and whether the complaint is criminally prosecuted. The City cannot guarantee that in the future all submitted identifying information will be exempt from disclosure under the law, or that all identifying information will be withheld from disclosure. If there is any personal information you do not wish to become public, please do not include it on this form.</p>		
Comments:	Boxes, garbage, misc. items all over. Garbage blowing in our yards.		
Private Notes:			
Disclosure of Identity:	Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.		
Electronic Signature:			
Date:	11/14/2021		

Submitter Info

Name:		Email:	@gmail.com
Address:	Sunderland Dr Spokane Valley, WA 99206		
Phone #:			
Alt. Phone #:	Extension:		
Notify:	<input checked="" type="checkbox"/>		

Activity List

Date:	11/14/2021 12:23:00 PM
--------------	------------------------

User: anonymous
Comments: Service Request Open - ID 22524
Routed To: CodeEnforcement, Front Reception
Comments: Boxes, garbage, misc. items all over. Garbage blowing in our yards.

Date: 11/14/2021 12:23:00 PM
User: anonymous
Comments: An automated email has been sent to the submitter(s): @gmail.com

Date: 11/15/2021 9:58:00 AM
User: chinshaw
Comments: NUI-2021-0445
Thank You for contacting the City of Spokane Valley Code Enforcement. The Code Enforcement Officer is working with the property owner and/or tenant to achieve compliance. For updates, please call (509) 720-5240 and reference case number.

EXHIBIT H



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2021-0348

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

Status CLOSED - NO VIOLATION

Parent #

GENERAL

09/03/2021

Complaint is not a code enforcement violation. Code enforcement was just there two weeks ago and none of the vehicles meet the definition of junk. Code enforcement does not have the authority to address complaints regarding vehicles parked on the road. Complainant will need to make a report to crimecheck or Spokane Valley Police Department regarding vehicle on the road.

DOCUMENT LINK

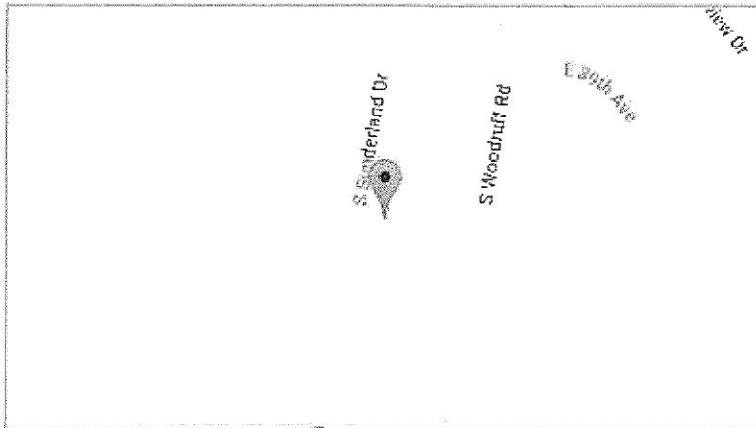
09/07/2021

Service Request 22109 Excessive of amount of vehicles. One has been parked on the street for months and has not moved.

Service Request 22109

Record Info

Request ID:	22109	Request Type:	Other
Priority:	2	Entered By:	anonymous
Date Submitted:	9/2/2021 8:03:00 PM	Cross Street:	
Address:	3927 S Sunderland Dr Spokane Valley		



District:

Additional Info:

Information revealing the identity of persons who are witnesses to or victims of a crime or who file complaints with this agency is exempt from public disclosure, if disclosure would endanger any person's life, physical safety or property. RCW 42.56.240(2). **Please indicate your desire for disclosure or non-disclosure of your identity by selecting the appropriate response, and sign and date below. In the event you select nondisclosure, the City will redact identifying information such as listed name, address, and phone number, subject to application of the Public Records Act, other applicable laws, and whether the complaint is criminally prosecuted. The City cannot guarantee that in the future all submitted identifying information will be exempt from disclosure under the law, or that all identifying information will be withheld from disclosure. If there is any personal information you do not wish to become public, please do not include it on this form.**

Comments:

Excessive of amount of vehicles. One has been parked on the street for months and has not moved.

Private Notes:

Submitter Info

Name:		Email:	@gmail.com
Address:	Sunderland Dr Spokane Valley, WA 99201		
Phone #:			
Alt. Phone #:			
Notify:	<input checked="" type="checkbox"/>		

Activity List

Date:	9/2/2021 8:03:00 PM
User:	anonymous
Comments:	Service Request Open - ID 22109 Routed To: CodeEnforcement, Front Reception

Comments: Excessive of amount of vehicles. One has been parked on the street for months and has not moved.

Date:	9/2/2021 8:03:00 PM
User:	anonymous
Comments:	An automated email has been sent to the submitter(s): @gmail.com
Date:	9/7/2021 11:45:00 AM
User:	chinshaw
Comments:	NUI-2021-0348 Complaint is not a code enforcement violation. Code enforcement was just there two weeks ago and none of the vehicles meet the definition of junk. Code enforcement does not have the authority to address complaints regarding vehicles parked on the road. Complainant will need to make a report to crime check or Spokane Valley Police Department regarding vehicle on the road.
Date:	9/7/2021 11:45:00 AM
User:	chinshaw
Comments:	Service request printed by chinshaw

EXHIBIT I



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2021-0309

Parcel # 45325.2907

3927 S SUNDERLAND DR

Owner MERKEL, ALBERT

3927 S SUNDERLAND DR

SPOKANE, WA 99206

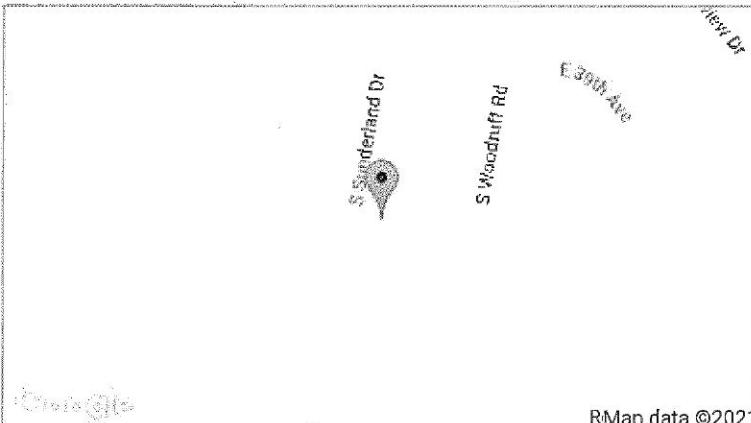
Status CLOSED

Parent #

DOCUMENT LINK	08/16/2021	Service Request 21962 There is garbage in the back of a truck that blows out and goes into the neighbors yards. Also there is a car that has sat on the street for months and hasn't been moved.
GENERAL	08/16/2021	Site visit. Confirmed compliant. Attempted to make contact but no answer. the car parked in the street does not meet the definition of junk and code enforcement does not have the authority to regulate vehicles parked on the road. Left door hanger. Will also mail WN.
GENERAL	08/16/2021	WN sent to property owner at address Received a message from Albert #202-714-8725 on 08/18. Called back - He stated he is pretty sure he is allowed to keep items in the back of his truck. Advised of SVMC and the requirements to keep garbage and recyclables and that a warning notice had been sent out. I stated it appeared the items were garbage and asked if he just needed to haul them off. He said yes. He stated he does not agree with the reading of the code. I advised him part of the complaint pertained to garbage blowing around the neighborhood and that the intent is to keep garbage confined and reduce the smell, which is why items need to be kept in a container with a lid. He then asked if he could know who the complainant was. I advised him I do not know if they asked to remain confidential but that he could submit a records request. He said he would do that. Al stated that the truck has been emptied and the piece of furniture was for work and not garbage. Advised I would close the case.
REPORT	08/19/2021	

Service Request 21962

Record Info

Request ID:	21962	Request Type:	Accumulation of Garbage
Priority:	2	Entered By:	anonymous
Date Submitted:	8/16/2021 12:19:00 PM	Cross Street:	
Address:	3927 S Sunderland Dr Spokane Valley		
District:			
Additional Info:	<p>Information revealing the identity of persons who are witnesses to or victims of a crime or who file complaints with this agency is exempt from public disclosure, if disclosure would endanger any person's life, physical safety or property. RCW 42.56.240(2). Please indicate your desire for disclosure or non-disclosure of your identity by selecting the appropriate response, and sign and date below. In the event you select nondisclosure, the City will redact identifying information such as listed name, address, and phone number, subject to application of the Public Records Act, other applicable laws, and whether the complaint is criminally prosecuted. The City cannot guarantee that in the future all submitted identifying information will be exempt from disclosure under the law, or that all identifying information will be withheld from disclosure. If there is any personal information you do not wish to become public, please do not include it on this form.</p>		
Comments:	There is garbage in the back of a truck that blows out and goes into the neighbors yards. Also there is a car that has sat on the street for months and hasn't been moved.		
Private Notes:			
Disclosure of Identity:	Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.		
Electronic Signature:			
Date:	8/16/2021		

Submitter Info

Name:		
Address:	Sunderland Dr Spokane Valley, WA 99206	
Phone #:	509-327-2488	Extension:
Alt. Phone #:	Extension:	
Notify:	<input checked="" type="checkbox"/>	

Activity List

Date:	8/16/2021 12:19:00 PM
User:	anonymous
Comments:	Service Request Open - ID 21962 Routed To: CodeEnforcement, Front Reception Comments: There is garbage in the back of a truck that blows out and goes into the neighbors yards. Also there is a car that has sat on the street for months and hasn't been moved.
<hr/>	
Date:	8/16/2021 12:19:00 PM
User:	anonymous
Comments:	An automated email has been sent to the submitter(s):
<hr/>	
Date:	8/16/2021 1:04:00 PM
User:	chinshaw
Comments:	NUI-2021-0309 Thank you for contacting the City of Spokane Valley. Please be advised that your concern has been routed to the Code Enforcement Officer for investigation. For updates please contact us at (509) 720-5240 and reference the above case number.
<hr/>	
Date:	8/16/2021 1:05:00 PM
User:	chinshaw
Comments:	Service request printed by chinshaw

EXHIBIT J



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # NUI-2025-0064

Status WARNING NOTICE SENT

Parcel # 55192.0303

Parent #

17508 E SPRAGUE AVE

Owner CHRISTIAN, TRACY ANN

17508 E SPRAGUE AVE

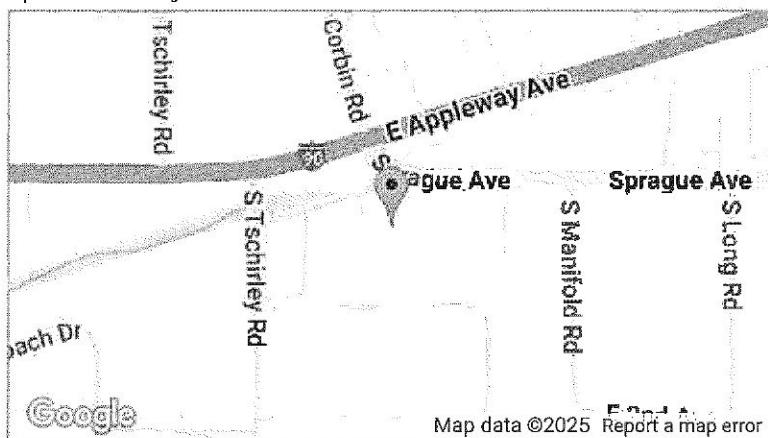
SPOKANE VALLEY, WA 99016-9316

GENERAL	06/18/2025	Site visit/photos. One unlicensed vehicle visible at location. Will send WN.
GENERAL	06/18/2025	SR 33583
GENERAL	06/18/2025	Warning Notice sent to Christian, Tracy Ann, Occupant/Tenant 17508 E Sprague Ave. Spokane Valley, WA. 99016.

Service Request 33583

Record Info

Request ID:	33583	Request Type:	Other
Priority:	2	Entered By:	anonymous
Date Submitted:	6/17/2025 5:48:00 AM	Cross Street:	
Address:	17508 E Sprague Ave Spokane Valley		



District:

Comments: This house has weeds everywhere broken fence and broke down cars. Looks like a junkyard

Private Notes:

Disclosure of Identity: Do not disclose my identity - I believe disclosure would endanger my life, physical safety, or property.

Electronic Signature:

Date: 6/17/2025

Internal Only_Smart Gov

Number:

Submitter Info

Name:		Email:	@gmail.com
Address:	Spokane Valley, WA		
Phone #:		Extension:	
Alt. Phone #:	Extension:		
Notify:	<input checked="" type="checkbox"/>		

Activity List

Date:	6/17/2025 5:48:00 AM
User:	anonymous
Comments:	Service Request Open - ID 33583 Routed To: CodeEnforcement, mlemons Comments: This house has weeds everywhere broken fence and broke down cars. Looks like a junkyard

Date:	6/17/2025 5:48:00 AM
User:	anonymous
Comments:	An automated email has been sent to the submitter(s): @gmail.com

Date: 6/18/2025 7:20:00 AM
User: jcrane
Comments: NUI-2025-0064

Thank you for contacting the City of Spokane Valley. Please be advised that your concern has been routed to the Code Enforcement Officer for investigation. For updates please contact us at (509) 720-5240 and reference the above case number.

Please also be aware that code enforcement has no authority over landscape conditions. Weeds are not something code enforcement has any authority over.

Date: 6/18/2025 7:20:00 AM
User: jcrane
Comments: An automated email has been sent to the submitter(s): @gmail.com



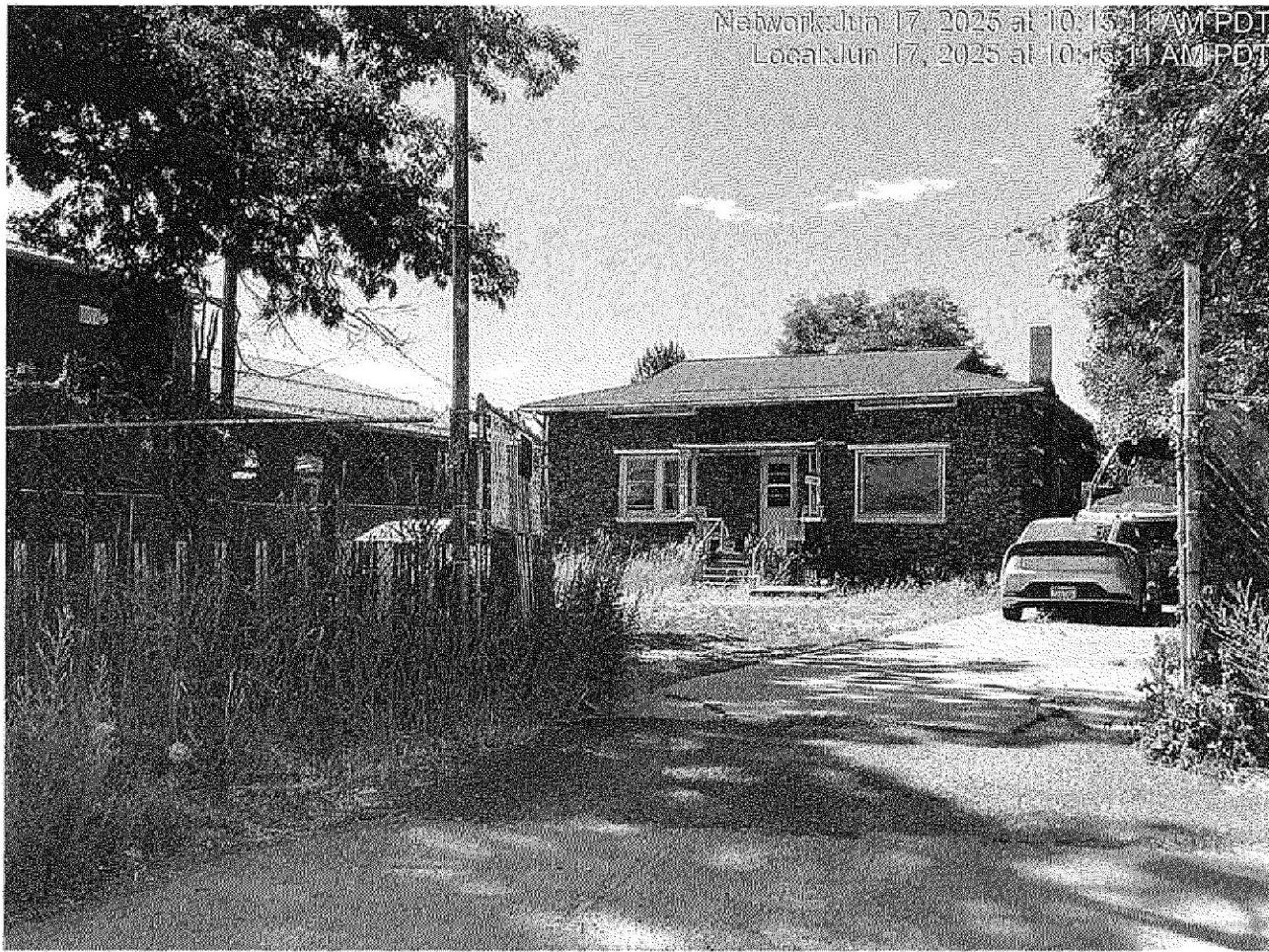


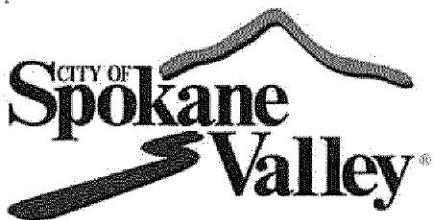
Network Jul 2, 2025 at 8:08:51 AM PDT
Local Jul 2, 2025 at 8:08:51 AM PDT



Network Jun 17, 2025 at 10:15:38 AM PDT
Local Jun 17, 2025 at 10:15:38 AM PDT

Network Jun 17, 2025 at 10:15:11 AM PDT
Local Jun 17, 2025 at 10:15:11 AM PDT





10210 East Sprague Avenue ♦ Spokane Valley WA 99206
(509) 720-5000 ♦ Fax: (509) 720-5075 ♦ cityhall@spokanevalley.org

WARNING NOTICE OF VIOLATION

CODE ENFORCEMENT CASE # NUI-2025-0064

Please call/email the code enforcement officer at the bottom of this letter to discuss compliance or if you have questions

1. **Property address:** 17508 E. Sprague Ave. Spokane Valley, WA. 99016
2. **Property parcel number:** 55192.0303
3. **Responsible parties:**
 - CHRISTIAN, TRACY ANN
 - Each tenant or resident of the property not named above, addressed herein as J. Doe 1-10.

Citizen Complaint: This house has weeds everywhere, a broken fence and broke down cars. Looks like a junkyard.

Code Enforcement inspected location and observed an unlicensed vehicle visible from the street.

Code Violation:

Spokane Valley Municipal Code 7.05.040 Nuisances Prohibited:

N. Junk Vehicles and Unlicensed Vehicles. All junk vehicles and unlicensed vehicles, or parts thereof, placed, stored, or permitted to be located on private property within the City limits.

Compliance Requirements:

- Ensure ALL vehicle(s) are displaying valid license plate(s) with current registration. Or remove junk/unlicensed vehicle(s), and parts thereof, from the property or store in an approved structure.

Compliance date: JULY 18, 2025

Consequences for failure to comply: Failure to correct the violation(s) outlined above, or to enter into a Voluntary Compliance Agreement (VCA,) by the end of the compliance date will result in the issuance of a Notice and Order, as provided in SVMC 17.100.050 and 17.100.130, with a minimum civil penalty of \$500.

City of Spokane Valley Code Enforcement Officer:

A handwritten signature in black ink, appearing to read "Tim Wirun".

Date:

6/18/2025

Tim Wirun // Code Enforcement Officer

10210 E. Sprague Ave // Spokane Valley, WA 99206

509-720-5032 // twirun@SpokaneValleyWA.gov



Jenny Nickerson

From: Tim Wirun
Sent: Wednesday, July 2, 2025 3:34 PM
To: Tracy Christian
Cc: Jenny Nickerson; Joseph Crane
Subject: RE: nui-2025-64
Attachments: TC_01364.jpeg; TC_01365.jpeg

Ms. Christian: You are correct in your understanding of the City of Spokane Valley Code 7.05.040 Nuisances Prohibited.

N. Junk Vehicles and Unlicensed Vehicles. All junk vehicles and unlicensed vehicles, or parts thereof, placed, stored, or permitted to be located on private property within the City limits. SVMC 7.05.040(N) does not apply to:

1. Any vehicle or part thereof that is completely enclosed within a lawful structure so that it is not visible from the street or other public or private property;
2. Any vehicle or part thereof that is stored or parked in a lawful manner at a (a) licensed vehicle dismantler or licensed vehicle dealer business, and the property is fenced pursuant to RCW 46.80.130, or (b) legally established vehicle repair business.
3. A junk vehicle does not include a vehicle which is in the process of being repaired, as evidenced by the good faith efforts of the vehicle owner. This exception shall include having up to one "parts" vehicle, from which parts are being salvaged concurrent with the repair process for the vehicle being excepted from compliance in SVMC 7.05.040. Good faith efforts of repair may include producing invoices showing work or parts purchased for repair or renovation within 30 days prior to issuance of the notice of violation, or a declaration under penalty of perjury that the vehicle is in the process of being repaired and has been worked on within 30 days prior to issuance of the notice of violation. This exception allows up to 60 days for good faith repair. Upon good cause shown, the city manager or designee shall have the discretion to grant one additional 60-day exception period pursuant to SVMC 7.05.040(N). Under no circumstance shall any good faith efforts of repair extend for more than 120 days, after which time this exception shall no longer apply. This exception shall apply to one vehicle and one parts vehicle per parcel of land in any consecutive 12-month period;
4. There shall be allowed as exceptions to SVMC 7.05.040(N) up to one junk vehicle or unlicensed vehicle in R-1, R-2, R-3, and R-4 zones, so long as it is **completely sight-screened by maintained landscaping, a maintained landscaped berm, or fencing, as allowed pursuant to any currently adopted SVMC landscaping, berm, or fencing requirements pursuant to Chapter 22.70 SVMC.**

Code Enforcement did visit 17508 E. Sprague Ave. again today, and from the **City of Spokane Valley Right of Way (street) observed** a white sedan parked in the back yard of your property. The vehicle appears to have rear body damage and no license plate/current registration or window temp tag. The vehicle is not completely sight screened pursuant to 7.05.040 (N)(4). (photos attached).

Additional contact: Joe Crane. Code Enforcement. jcrane@spokanevalleywa.org, (509) 720-5325.

Thanks,

Tim Wirun // Code Enforcement Officer
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5032 // twirun@SpokaneValleyWA.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Tracy Christian <tracychristian509@gmail.com>
Sent: Tuesday, July 1, 2025 5:16 PM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Cc: Albert Merkel <amerkel@spokanevalleywa.gov>
Subject: nui-2025-64

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Dear Mr. Wyrus,

I am writing in response to your warning issued to me on June 18th regarding an alleged violation of Spokane Valley Municipal Code 7.05.040 concerning junk vehicles.

As per the code, specifically section 7.05.040(N)(4), there is a clearly defined exception that states:

"There shall be allowed as exceptions to SVMC 7.05.040(N) up to one junk vehicle or unlicensed vehicle in R-1, R-2, R-3, and R-4 zones, so long as it is completely sight-screened by maintained landscaping, a maintained landscaped berm, or fencing, as allowed pursuant to any currently adopted SVMC landscaping, berm, or fencing requirements pursuant to Chapter 22.70 SVMC."

Currently, there is only **one** vehicle on the property that falls under the description in question. That vehicle is **completely sight-screened from the roadway** by both the residence and a parked boat, meeting the intent and the letter of the code's allowance for one such vehicle in a residential zone.

Given this compliance with the stated exception under the code, I respectfully request that the warning be withdrawn.

Please confirm receipt of this response,

Sincerely,

Tracy Christian

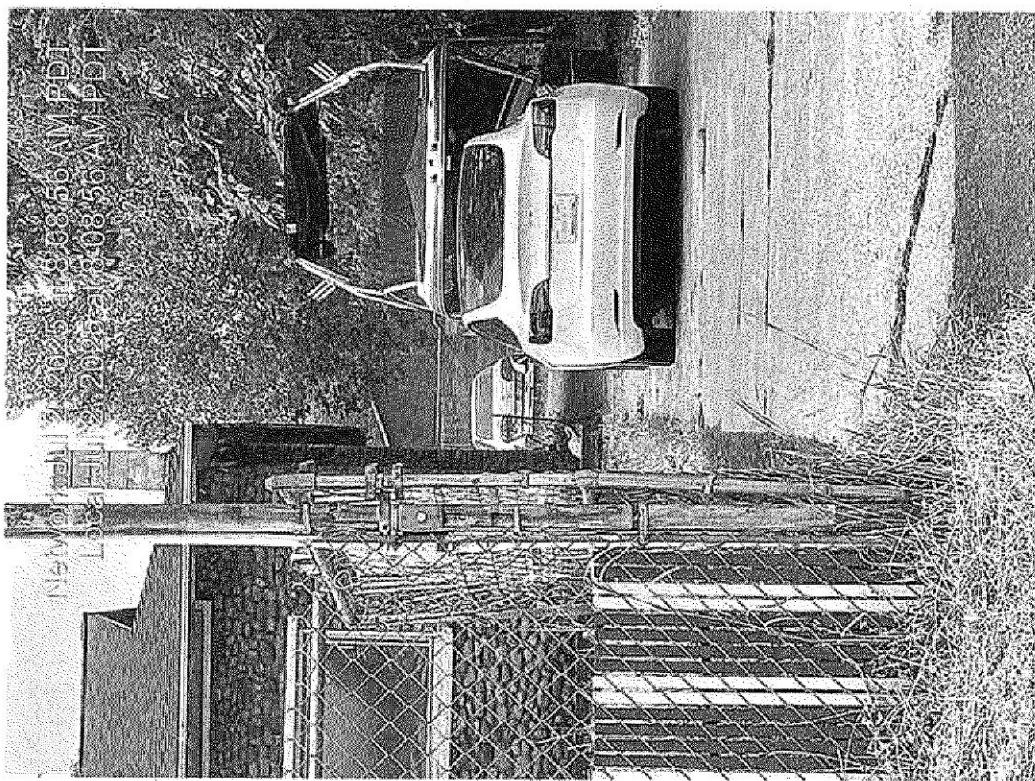


EXHIBIT K



10210 East Sprague Avenue ♦ Spokane Valley WA 99206
(509) 720-5000 ♦ Fax: (509) 720-5075 ♦ cityhall@spokanevalley.org

CODE ENFORCEMENT CASE #GEN-2024-0108

WARNING NOTICE OF VIOLATION

Please call/email the code enforcement officer at the bottom of this letter to discuss compliance or if you have questions.

1. **Property address:** 13820 E 4TH AVE, SPOKANE VALLEY, WA, 99216
2. **Property parcel number:** 45221.9129
3. **Responsible parties:**
 - DOLAN LIVING TRUST
 - Each tenant or resident of the property not named above, addressed herein as J. Doe 1-10.

Code Violation:

- **Spokane Valley Municipal Code 19.65.130**
 - A. Accessory Structures
 - 2. Cargo shipping containers and similar enclosures are not a permitted accessory structure in any residential zoning district.
- **Spokane Valley Municipal Code 19.70.050 Additional standards.**
 - C. Accessory structures shall not be erected within five feet of any rear or side property line or be located within the front yard or any public or private easement.

Compliance Requirements:

- Remove all cargo containers from residential zone.

Compliance date: October 16, 2024

Consequences for failure to comply: Failure to correct the violation(s) outlined above, or to enter into a Voluntary Compliance Agreement (VCA,) by the end of the compliance date will result in the issuance of a Notice and Order, as provided in SVMC 17.100.050 and 17.100.130, with a minimum civil penalty of \$500.

City of Spokane Valley Code Enforcement Officers:

Date:

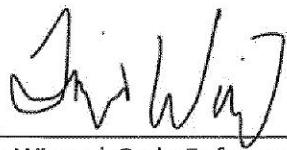
A handwritten signature in black ink that reads "Joe Crane".

9/16/2024

Joe Crane | Code Enforcement Officer

10210 E. Sprague Avenue | Spokane Valley, WA 99206

(509) 720-5325 | jcrane@spokanevalleywa.gov



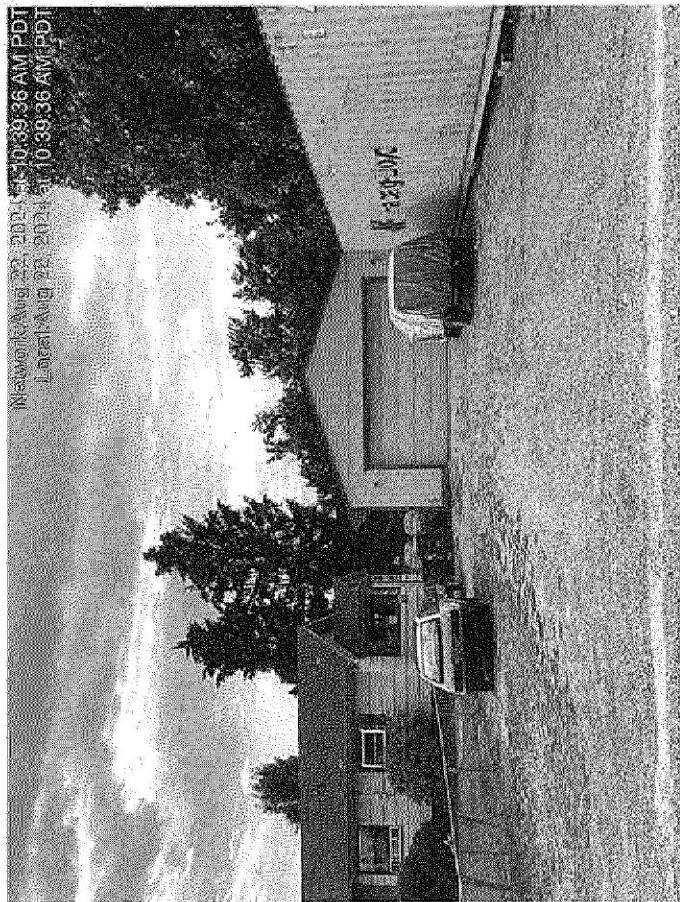
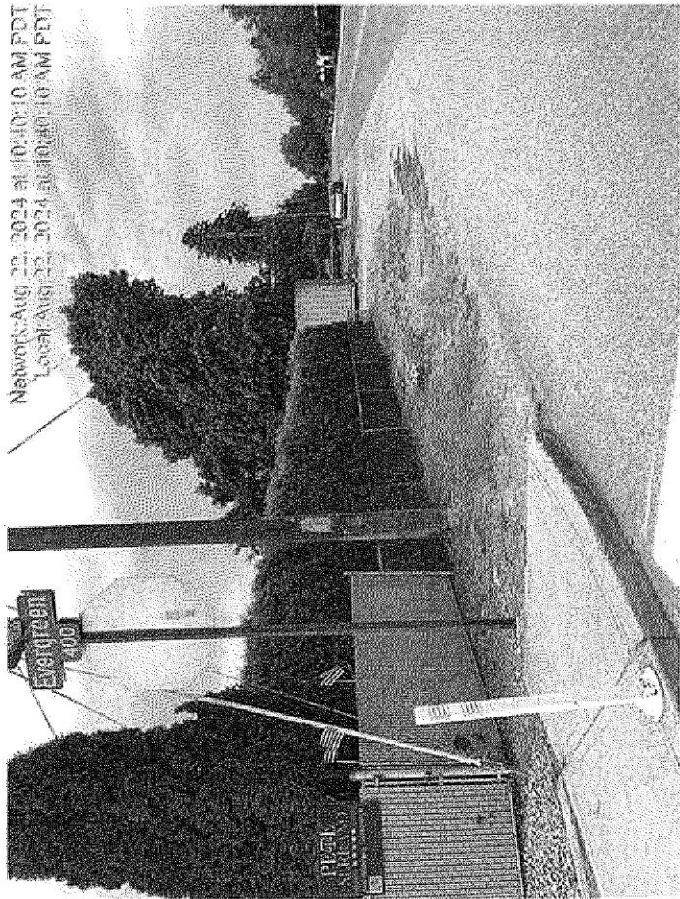
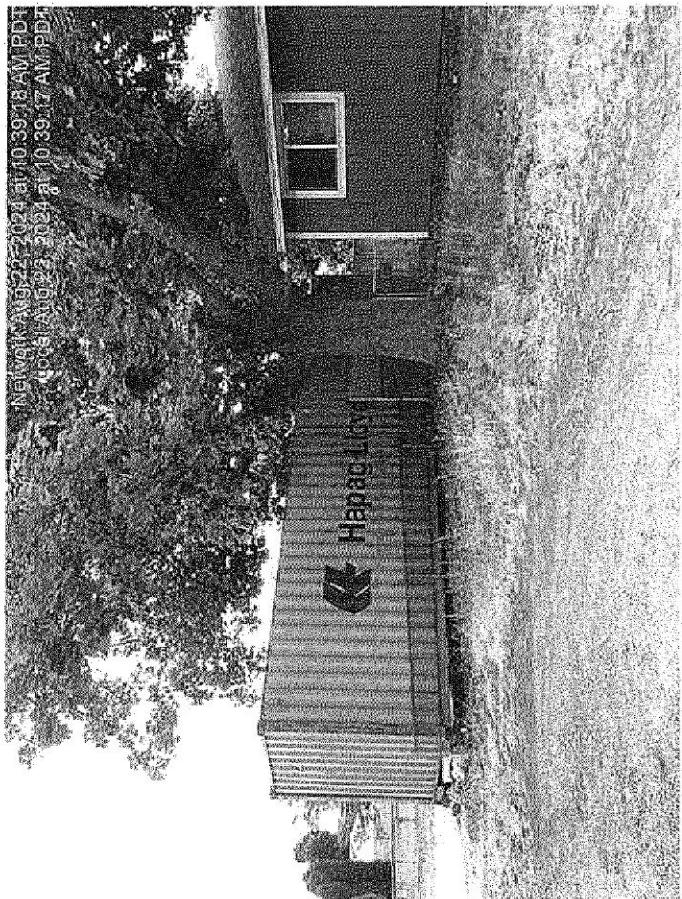
9/16/2024

Tim Wirun | Code Enforcement Officer

10210 E. Sprague Avenue | Spokane Valley, WA 99206

(509) 720-5032 | twirun@spokanevalleywa.gov







NetworkX-2024-09-22 10:59:29 AM PDT
Loc: 41.919232, -71.062262 at 10:59:29 AM PDT



10210 East Sprague Avenue
• Spokane Valley WA 99206
(509) 720-5240 • Fax: (509) 720-5075 •
permitcenter@spokanevalley.org

**VOLUNTARY COMPLIANCE AGREEMENT
SPOKANE VALLEY MUNICIPAL CODE VIOLATIONS**

The Spokane Valley Municipal Code (SVMC) 17.100.100 provides authority for person(s) responsible for violations of the SVMC to enter into a voluntary compliance agreement with the City of Spokane Valley (the "City") to address the identified violations. The City has determined that DOLAN LIVING TRUST, M S, DOLAN, MIKE has caused violations of the SVMC as detailed in this voluntary compliance agreement to exist at 13820 E. 4th Avenue, Spokane Valley, Washington. The City and DOLAN LIVING TRUST, M S, DOLAN, MIKE enter into this voluntary compliance agreement to address clean-up and abatement of the violations within the terms set forth herein.

By signing below, DOLAN LIVING TRUST, M S, DOLAN, MIKE and the City hereby acknowledge with respect to this voluntary compliance agreement that:

1. It is a written, signed commitment by DOLAN LIVING TRUST, M S, DOLAN, MIKE, as a person responsible for a code violation(s), to agree to abate the violation(s), remediate the site, and/or mitigate the impacts of the violation(s) as specified in this agreement.
2. By entering into this voluntary compliance agreement, DOLAN LIVING TRUST, M S, DOLAN, MIKE, as a person responsible for a code violation(s), waive the right to administratively or judicially appeal the determination of the code violation(s). By entering this agreement, you thereby admit that the conditions described in this

voluntary compliance agreement exist as described and constitute violation(s) of the City of Spokane Valley Municipal Code.

3. This voluntary compliance agreement is not a settlement agreement.
4. This voluntary compliance agreement specifies the shortest reasonable time period for compliance, as determined by the City.
5. Extensions of the time limit for compliance, or a modification of the required corrective action may be granted by the City if you, as a person responsible for the code violation(s), have shown due diligence or substantial progress in correcting the violation(s), but circumstances render full and timely compliance under the original conditions unattainable. Any such extension or modification must be in writing and signed by an authorized representative of the City and you and any other person(s) who signed the original voluntary compliance agreement.

*To suspend civil monetary fines, please initial/date
and sign the highlighted areas and return all pages
in the enclosed envelope*

The City and DOLAN LIVING TRUST, M S, DOLAN, MIKE hereby agree, based upon the consideration set forth herein, to the following terms and conditions of this voluntary compliance agreement:

I. FACTUAL INFORMATION AND COMPLIANCE TERMS:

NAME: DOLAN LIVING TRUST,M S, DOLAN, MIKE

ADDRESS OF _____ IF NOT THE SAME ADDRESS AS SITE OF VIOLATION(S):

SITE ADDRESS: 13820 E. 4th Ave. Spokane Valley, WA. 99216

PARCEL NO: 45221.9129

LEGAL DESCRIPTION: 22-25-44 E165FT OF N1/2 OF NE1/4 OF SE1/4 OF NE1/4 EXC S150 FT & EXC RDS

DESCRIPTION OF VIOLATION, INCLUDING REFERENCE TO SVMC SECTION VIOLATED:

Cargo Shipping Container located in the driveway of the residence.

SVMC 19.65 Supplemental Use Regulations

SVMC 19.65.130 Residential

A. Accessory Structures.

SVMC 19.70.050 Supplemental Use Regulations Additional Standards

REQUIRED CORRECTIVE ACTION:

Remove Cargo Shipping Container(s) from residential zone.

DATE/TIME FOR COMPLETION OF CORRECTIVE ACTION: JUNE 01, 2025

AMOUNT OF CIVIL PENALTY IF AGREEMENT NOT SATISFIED: \$500.00. If the terms of this voluntary compliance agreement are not met by the date specified above, the City shall notify you of such failure and assess you the civil penalty, which shall be paid within 20 days from date of such notification.

II. FURTHER AGREEMENT:

Pursuant to SVMC 17.100.110, the City and DOLAN LIVING TRUST, M S, DOLAN, MIKE hereby further acknowledge and agree:

Initials Date

MD 10/31/24

A. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that if the City determines that the terms of this voluntary compliance agreement are not met, the City may, without issuing a notice and order or stop work order, impose any remedy authorized by SVMC 17.100, enter the real property and perform abatement of the violation by the City, assess the costs incurred by the City to pursue code compliance and to abate the violation, including reasonable legal fees and costs, and the suspension, revocation or limitation of a development permit obtained or to be sought by me.

Initials Date

MD 10/31/24

B. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that if the penalty described above is assessed, and if any costs of code compliance are assessed, I will pay such amounts within the time specified. I further acknowledge if I fail to pay such amounts within the time specified, the City may charge the unpaid amount as a lien against the property where the code violation occurred and that the unpaid amount will be a joint and several personal obligation of myself and all other persons, if any, responsible for the violation(s).

Initials Date

MD 10/31/24

C. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that by entering into this voluntary compliance agreement, I admit that the conditions described in this voluntary compliance agreement exist or existed and constitute or constituted a violation(s) of the Spokane Valley Municipal Code.

Initials Date

MD 10/31/24

D. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that I understand that I have the right to be served with a Notice and Order or Stop Work Order for any violation identified in this voluntary compliance agreement, have the right to administratively or judicially appeal any such Notice and Order or Stop Work Order, and that I am knowingly, voluntarily and intelligently waiving those rights by entering into this voluntary compliance agreement.

Initials Date

MD 10/31/24

E. **FAILURE TO COMPLY WITH ALL TERMS OF THIS VOLUNTARY COMPLIANCE AGREEMENT MAY RESULT IN LEGAL ACTION TO ABATE THE NUISANCE VIOLATIONS**

Pursuant to SVMC 17.100.120, if the terms of this voluntary compliance agreement are not completely met, and an extension of time has not been granted, the person responsible for the violation(s) may, without being issued a Notice and Order or Stop Work Order, be assessed a civil penalty as set forth in SVMC 17.100 and in this voluntary compliance agreement, plus all costs incurred by the City to pursue code compliance and to abate the violation(s), and may be subject to other remedies authorized by SVMC 17.100. All penalties imposed for violations of this voluntary compliance agreement accrue from the date that an appeal of any preceding Notice and Order or Stop Work Order was to have been filed or from the date of this voluntary compliance agreement if there was no preceding Notice and Order or Stop Work Order. The City may, but is not required to, issue a Notice and Order or Stop Work Order for failure to meet the terms of this voluntary compliance agreement.

SIGNATURES

CODE ENFORCEMENT OFFICER:



Signature

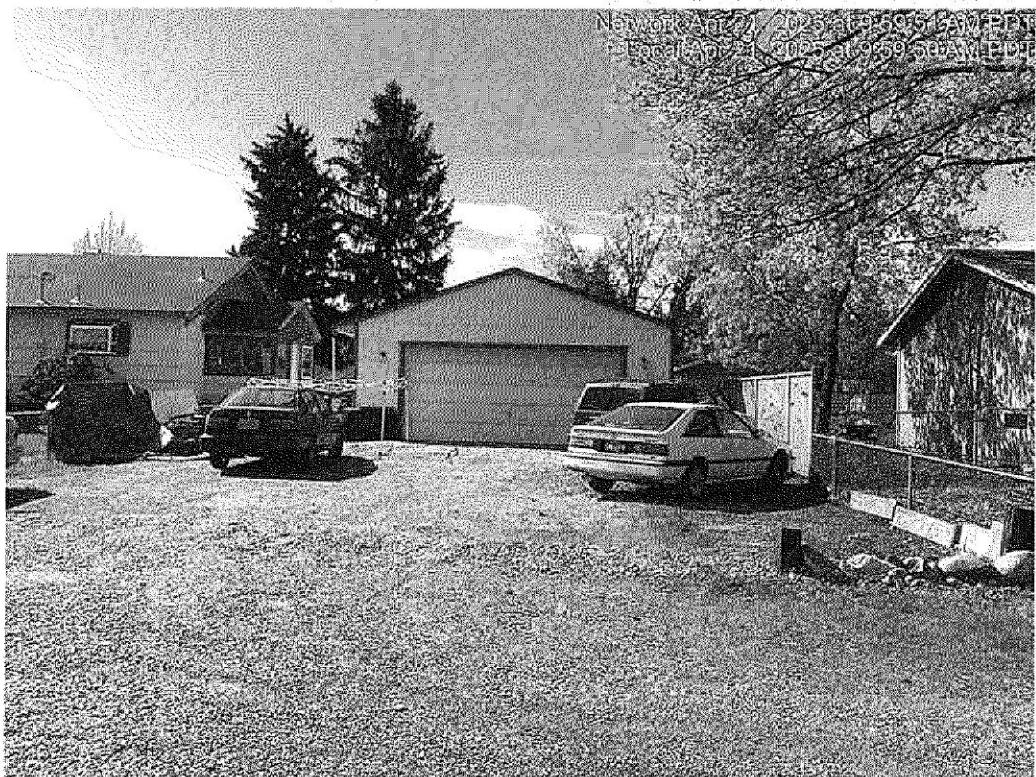
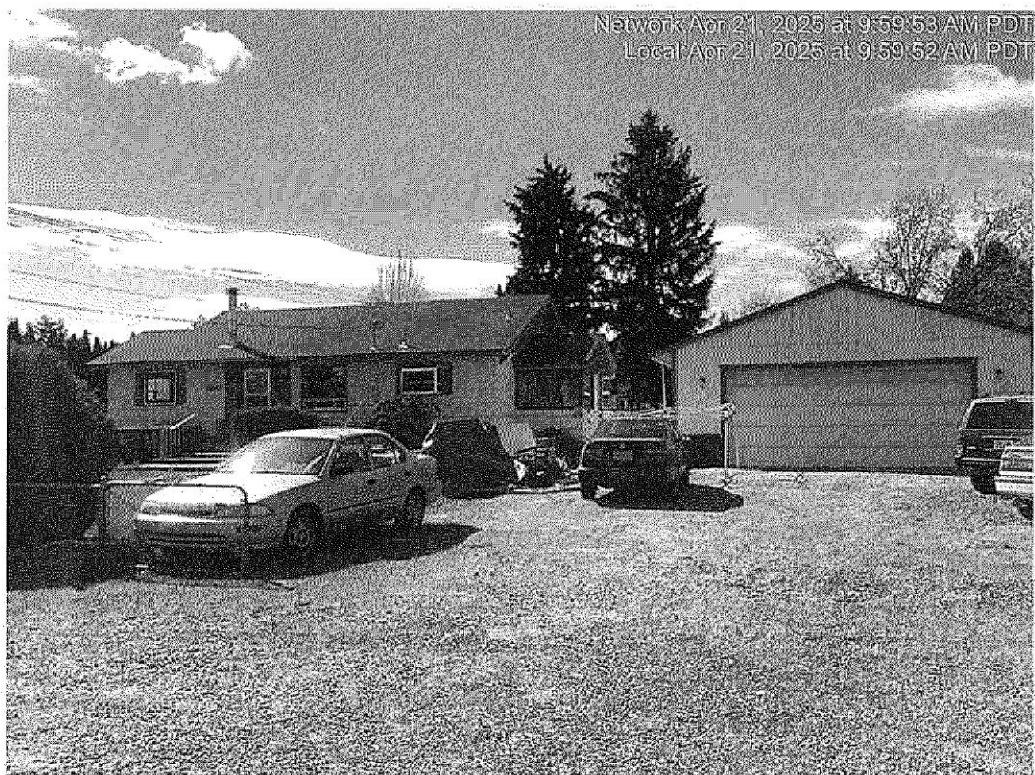
Signed by Tim Wirus this 04 day of November, 2024.

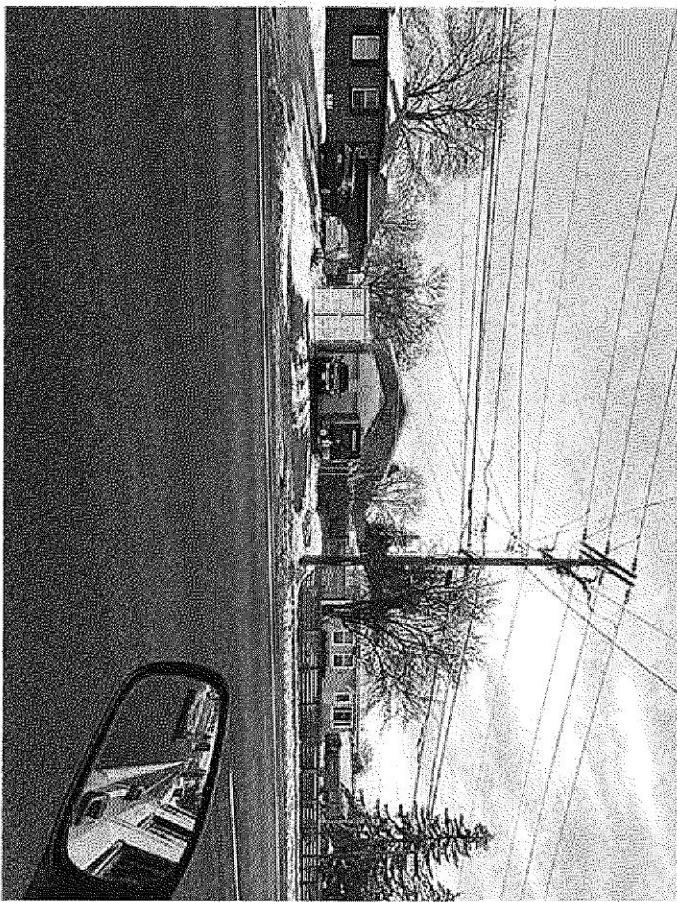
PERSON RESPONSIBLE FOR THE CODE VIOLATION:



Signature

Signed by Mike Dolan this 31st day of October, 2024.





Jenny Nickerson

From: Jenny Nickerson
Sent: Monday, September 23, 2024 1:35 PM
To: dolan.mike.s@gmail.com
Cc: Tim Wirun; Joseph Crane
Subject: RE: case GEN-2024-0108

Good afternoon, Mr. Dolan, and thank you for your email. I am so sorry to hear that you are fighting esophageal cancer; there is absolutely the opportunity to extend the compliance date for the subject cargo container given that it is not posing an immediate threat to public safety. Code Enforcement records will be updated to extend the compliance date to **Friday, December 6, 2024**. If you need more time to complete the removal of the cargo container, Code Enforcement staff members Tim or Joe will be ready to work with you towards identifying a reasonable timeframe and they will draft a 'voluntary compliance agreement' to document the agreed-upon timeframe.

The Spokane Valley Municipal Code regulation restricting cargo shipping containers and similar enclosures as accessory structures in residential zones was adopted by [Ordinance 09-036](#) in December, 2009. The location of the regulation was more recently relocated to Chapter 19.65 SVMC through [Ordinance 21-010](#) in August, 2021. The hyperlinks will take you directly to those Ordinances and this link will take you to the current Spokane Valley Municipal Code section [19.65.130](#) which includes the subject regulation, "2. Cargo shipping containers and similar enclosures are not a permitted accessory structure in any residential zoning district."

Our best wishes for a successful surgery and a speedy recovery. Please feel free to reach out to Tim, Joe, or me if you have any questions. Thank you for your time and for your quick response, sir. JRN

Jenny Nickerson, MCP // Building Official
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5305 // jnickerson@SpokaneValleyWA.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Mike Dolan <dolan.mike.s@gmail.com>
Sent: Sunday, September 22, 2024 1:50 PM
To: Joseph Crane <jcrane@spokanevalleywa.gov>
Cc: Tim Wirun <twirun@spokanevalleywa.gov>
Subject: case GEN-2024-0108

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

To: Joe Crane, Tim Wrun Spokane Valley code enforcement officers 9/21/2024
From: Mike Dolan 13820 E 4th Ave Spokane Valley
Re: Case GEN-2024-0108

Joe, Tim,

I have received your letter regarding case GEN-2024-0108, dated 9/16/2024

I have reviewed Code 19.65 (supplemental use regulations), 19.65.130, 19.70.050, and the appendix A definitions (accessory, structure)

I am not clear on what more I would need to do with a standalone unit placed temporarily in my driveway to conform to the descriptions listed in the regulations above?

To help me, do you have any information as to when the city council approved these amendments so I can go back and review the discussion that took place?

This coming Thursday the 26th I will be undergoing my third surgery related to my diagnosis of stage 4 esophageal cancer. I will be in the hospital for a few days and then continue with recuperation at home for the next approximately 3 weeks.

I will respond as promptly as possible but do not want to make any agreements while still under the influence of pain medication.

Given my medical situation described above I am requesting and extension on the compliance set in your letter of October 16,2024

Sincerely,

Mike Dolan

Spokane Valley

Dolan.mike.s@gmail.com

Cell 509-499-6771

Jenny Nickerson

From: Jenny Nickerson
Sent: Tuesday, October 22, 2024 3:43 PM
To: Mike Dolan
Cc: Code Enforcement
Subject: RE: Mike Dolan case GEN-2024-0108

Good afternoon, Mr. Dolan, and thank you for your message and for your patience while we reviewed your concerns. You are correct that 19.65.130 discusses residential uses, specifically the supplemental use regulations applicable to residential uses and subsection A includes regulations pertaining to residential accessory structures.

Supplemental use regulations outlined in Chapter 19.65 address standards for certain uses which require additional controls to protect public health, safety, and welfare and serve to supplement the general building and site development standards found elsewhere in the Spokane Valley Municipal Code. As noted in the warning notice documentation sent to you, 19.65.130 (A)(2) specifically prohibits cargo shipping containers and similar enclosures from serving as residential accessory structures in residential zoning districts within the City. Sheds and garages are the most common type of residential accessory structure and, although sheds/garages are not residences themselves, their use for storage of personal belongings, vehicles, etc. is subordinate to the primary residential use of the property. In short, a shed, garage, or shipping container used for storage of personal belongings would generally fall into the classification of a residential accessory use and 19.65.130 (A)(2) provides clear guidance that a cargo shipping container or similar enclosure is *not* a permitted accessory structure.

The strike-through language you referenced in your message is from Ordinance no. 21-010 which *relocated* the subject language from another area of the code along with other general clarification amendments to Title 19 of the Spokane Valley Municipal Code.

I agree that your neighborhood has grown and changed over the recent years, the current zoning classification is R-4 Single Family Residential Urban. To your north across 4th, properties are zoned MFR Multi Family Residential. Both zoning classifications are residential.

Although a neutral color or screening may be more visually appealing, neither option would resolve the matter. However, Permit Center staff would be happy to connect with you to discuss options for a residential accessory structure to replace the shipping container and, as I noted in my previous email, Code Enforcement staff are available to draft a voluntary compliance agreement if you need more time to remove the container. Thank you very much for your time and for the opportunity to coordinate, sir! JRN

Jenny Nickerson, MCP // Building Official
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5305 // jnickerson@SpokaneValleyWA.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

From: Mike Dolan <dolan.mike.s@gmail.com>
Sent: Thursday, October 17, 2024 10:25 AM
To: Jenny Nickerson <jnickerson@spokanevalleywa.gov>
Subject: Mike Dolan case GEN-2024-0108

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

To Jenny Nickerson MCP
From Mike Dolan
RE case GEN-20240108

Good morning!

I want to first say thank you for your well wishes regarding my recent surgery. Every little bit helps and I hope this is the last one.

On to the main topic of my dry box, and let me assure you, I fully intend to comply with your department, but I do also in good faith need to raise some of my concerns.

Some technical considerations:

The box I am using is no longer certified for cargo container use. I am using it as a temporary solution while I complete some car projects.

I do not feel that the definition of structure is met as this is a contained unit that requires no assembly or supporting devices and is not set on any sort of permanent foundation. It is not hooked to, nor does it use any sort of utilities such as electric, water, etc.

Actually the box was hauled in and set in place using a flatbed tow truck.

The section cited is code 19.65.130 which covers the use of cargo containers as part of a residential unit.

I maintain that the box I am using is not part of, or support the residential portion of my property in any way. Again, it is temporary, self-supporting, and completely detached from any other structures.

This section is also in conflict with section 2-1 "Findings and conclusions", and section 3-6 which was struck from the language.

19.40.030 Development standards – Accessory dwelling units

~~6. Cargo shipping containers and similar enclosures are not a permitted accessory structure in any residential zoning district.~~ Does this mean that there may be circumstances in the future where permits might be issued?

The reason I was interested in the supporting information was I wanted to understand what the intended purpose of the ordinance was at the time it was adopted.

From the August 10, 2021 meeting where this was adopted this is section 2-1

Section 2.

Findings and Conclusions.

1. The proposed amendments bear a substantial relation to public health, safety, welfare and protection of the environment. The amendments ensure that the transitional regulations are applied to all instances in which non-residential development occurs adjacent to residential development in the R-4 zone and ensures transportation, adult and marijuana use regulations will be properly applied in the R-4 zone. The amendments additionally clarify that cargo shipping containers are not allowed generally in residential zones as accessory uses to protect the quality and character of residential neighborhoods

I would note that where I live on the SW corner of 4th and Evergreen is no longer listed as residential in terms of real-estate selling as it has a high traffic street bordering it. In fact, years ago I taught my kids how to ride their bikes in front of my house on 4th street. (which is a collector) Now I can't cross in front of my house without risking getting hit by traffic turning off of Evergreen. I have no traditional houses across from me anymore with the expansion of Orchard crest and only have one actual neighbor to my west who says the box has helped defer some of the traffic noise. The daily sirens of fire trucks and ambulances responding to the rest home is not very residential nor is the semi-truck traffic using 4th to service Orchard crest.

I mention all of this as I believe it goes to the "character and quality" of where I live and I propose instead of getting rid of my dry box I could paint it to make it less industrial and so it would blend in more with its surroundings. I was thinking some simple neutral color. I have discussed this with my neighbor and they are fine with this idea as well.

Please let me know your thoughts on what I have come up with above and I will proceed on to comply.

Sincerely,

Mike Dolan

Spokane Valley

Jenny Nickerson

From: Tim Wirun
Sent: Monday, November 4, 2024 8:00 AM
To: Mike Dolan
Cc: Jenny Nickerson; Joseph Crane
Subject: RE: 13820 E 4th VCA
Attachments: 20241104073700796.pdf

Signed VCA. 11/04/2024

Thank You.

Tim Wirun // Code Enforcement Officer
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5032 // twirun@SpokaneValleyWA.gov



From: Mike Dolan <dolan.mike.s@gmail.com>
Sent: Thursday, October 31, 2024 11:09 AM
To: Tim Wirun <twirun@spokanevalleywa.gov>
Subject: Re: 13820 E 4th VCA

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Thanks for all of the options! I will see if I can print and sign it and email it back to you. Save you a trip. If that doesn't work I will just bring it down to city hall.

Thank you,

Mike Dolan

On Thu, Oct 31, 2024 at 11:02 AM Tim Wirun <twirun@spokanevalleywa.gov> wrote:

Mr. Dolan: We have a completed Voluntary Compliance Agreement prepared for you to review and sign. Joe and I can drop it off at your home, e-mail, mail it to you or you can come into City Hall to sign. I will include the VCA as an attachment included so you can review or sign. Once the VCA is signed by yourself and Code Enforcement, we will attach it to the case and send you a completed copy.

Thanks,

Tim Wirun // Code Enforcement Officer

10210 E. Sprague Ave // Spokane Valley, WA 99206

509-720-5032 // twirun@SpokaneValleyWA.gov



Joseph Crane // Code Enforcement Officer

10210 E. Sprague Ave // Spokane Valley, WA. 99206

509-720-5325 // jcrane@spokanevalleywa.gov



10210 East Sprague Avenue
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**VOLUNTARY COMPLIANCE AGREEMENT
SPOKANE VALLEY MUNICIPAL CODE VIOLATIONS**

The Spokane Valley Municipal Code (SVMC) 17.100.100 provides authority for person(s) responsible for violations of the SVMC to enter into a voluntary compliance agreement with the City of Spokane Valley (the "City") to address the identified violations. The City has determined that DOLAN LIVING TRUST, M S, DOLAN, MIKE has caused violations of the SVMC as detailed in this voluntary compliance agreement to exist at 13820 E. 4th Avenue, Spokane Valley, Washington. The City and DOLAN LIVING TRUST, M S, DOLAN, MIKE enter into this voluntary compliance agreement to address clean-up and abatement of the violations within the terms set forth herein.

By signing below, DOLAN LIVING TRUST, M S, DOLAN, MIKE and the City hereby acknowledge with respect to this voluntary compliance agreement that:

1. It is a written, signed commitment by DOLAN LIVING TRUST, M S, DOLAN, MIKE, as a person responsible for a code violation(s), to agree to abate the violation(s), remediate the site, and/or mitigate the impacts of the violation(s) as specified in this agreement.
2. By entering into this voluntary compliance agreement, DOLAN LIVING TRUST, M S, DOLAN, MIKE, as a person responsible for a code violation(s), waive the right to administratively or judicially appeal the determination of the code violation(s). By entering this agreement, you thereby admit that the conditions described in this

voluntary compliance agreement exist as described and constitute violation(s) of the City of Spokane Valley Municipal Code.

3. This voluntary compliance agreement is not a settlement agreement.
4. This voluntary compliance agreement specifies the shortest reasonable time period for compliance, as determined by the City.
5. Extensions of the time limit for compliance, or a modification of the required corrective action may be granted by the City if you, as a person responsible for the code violation(s), have shown due diligence or substantial progress in correcting the violation(s), but circumstances render full and timely compliance under the original conditions unattainable. Any such extension or modification must be in writing and signed by an authorized representative of the City and you and any other person(s) who signed the original voluntary compliance agreement.

*To suspend civil monetary fines, please initial/date
and sign the highlighted areas and return all pages
in the enclosed envelope*

The City and DOLAN LIVING TRUST, M S, DOLAN, MIKE hereby agree, based upon the consideration set forth herein, to the following terms and conditions of this voluntary compliance agreement:

I. FACTUAL INFORMATION AND COMPLIANCE TERMS:

NAME: DOLAN LIVING TRUST,M S, DOLAN, MIKE

ADDRESS OF _____ IF NOT THE SAME ADDRESS AS SITE OF VIOLATION(S):

SITE ADDRESS: 13820 E. 4th Ave. Spokane Valley, WA. 99216

PARCEL NO: 45221.9129

LEGAL DESCRIPTION: 22-25-44 E165FT OF N1/2 OF NE1/4 OF SE1/4 OF NE1/4 EXC S150 FT & EXC RDS

DESCRIPTION OF VIOLATION, INCLUDING REFERENCE TO SVMC SECTION VIOLATED:

Cargo Shipping Container located in the driveway of the residence.

SVMC 19.65 Supplemental Use Regulations

SVMC 19.65.130 Residential

 A. Accessory Structures.

SVMC 19.70.050 Supplemental Use Regulations Additional Standards

REQUIRED CORRECTIVE ACTION:

Remove Cargo Shipping Container(s) from residential zone.

DATE/TIME FOR COMPLETION OF CORRECTIVE ACTION: JUNE 01, 2025

AMOUNT OF CIVIL PENALTY IF AGREEMENT NOT SATISFIED: \$500.00. If the terms of this voluntary compliance agreement are not met by the date specified above, the City shall notify you of such failure and assess you the civil penalty, which shall be paid within **20** days from date of such notification.

II. FURTHER AGREEMENT:

Pursuant to SVMC 17.100.110, the City and DOLAN LIVING TRUST, M S, DOLAN, MIKE hereby further acknowledge and agree:

Initials Date

MD 10/31/24

A. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that if the City determines that the terms of this voluntary compliance agreement are not met, the City may, without issuing a notice and order or stop work order, impose any remedy authorized by SVMC 17.100, enter the real property and perform abatement of the violation by the City, assess the costs incurred by the City to pursue code compliance and to abate the violation, including reasonable legal fees and costs, and the suspension, revocation or limitation of a development permit obtained or to be sought by me.

Initials Date

MD 10/31/24

B. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that if the penalty described above is assessed, and if any costs of code compliance are assessed, I will pay such amounts within the time specified. I further acknowledge if I fail to pay such amounts within the time specified, the City may charge the unpaid amount as a lien against the property where the code violation occurred and that the unpaid amount will be a joint and several personal obligation of myself and all other persons, if any, responsible for the violation(s).

Initials Date

MD 10/31/24

C. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that by entering into this voluntary compliance agreement, I admit that the conditions described in this voluntary compliance agreement exist or existed and constitute or constituted a violation(s) of the Spokane Valley Municipal Code.

Initials Date

MD 10/31/24

D. I, DOLAN LIVING TRUST, M S, DOLAN, MIKE, acknowledge that I understand that I have the right to be served with a Notice and Order or Stop Work Order for any violation identified in this voluntary compliance agreement, have the right to administratively or judicially appeal any such Notice and Order or Stop Work Order, and that I am knowingly, voluntarily and intelligently waiving those rights by entering into this voluntary compliance agreement.

Initials Date

MD 10/31/24

E. **FAILURE TO COMPLY WITH ALL TERMS OF THIS VOLUNTARY COMPLIANCE AGREEMENT MAY RESULT IN LEGAL ACTION TO ABATE THE NUISANCE VIOLATIONS**

Pursuant to SVMC 17.100.120, if the terms of this voluntary compliance agreement are not completely met, and an extension of time has not been granted, the person responsible for the violation(s) may, without being issued a Notice and Order or Stop Work Order, be assessed a civil penalty as set forth in SVMC 17.100 and in this voluntary compliance agreement, plus all costs incurred by the City to pursue code compliance and to abate the violation(s), and may be subject to other remedies authorized by SVMC 17.100. All penalties imposed for violations of this voluntary compliance agreement accrue from the date that an appeal of any preceding Notice and Order or Stop Work Order was to have been filed or from the date of this voluntary compliance agreement if there was no preceding Notice and Order or Stop Work Order. The City may, but is not required to, issue a Notice and Order or Stop Work Order for failure to meet the terms of this voluntary compliance agreement.

SIGNATURES

CODE ENFORCEMENT OFFICER:



Signature

Signed by Tim Wirus this 04 day of November, 2024.

PERSON RESPONSIBLE FOR THE CODE VIOLATION:



Signature

Signed by Mike Dolan this 31st day of October, 2024.

Jenny Nickerson

From: Mike Dolan <dolan.mike.s@gmail.com>
Sent: Monday, February 24, 2025 11:56 AM
To: Jenny Nickerson
Subject: Case GEN-2024-0108
Attachments: 321 S bowdish.jpg; under another cover.jpg; 321 s Bowdish 2.jpg; Uhaul box.jpeg

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Jenny Hello in the new year,

I am still waiting for the weather to warm up before I unload my container and sell things to make room in my garage. I am also exploring how to get rid of it once it is empty.

Per John Homans advice I did take my request to change the code to the city council. Unfortunately only one member was willing to consider it so it failed.

I have some other ideas that I wanted to run by you as options.

The first example is at 321 S bowdish. If I use my container as part of a carport would that change its status?

The next Idea is for example "under another cover" or in other words construct some sort of garage around it? Stored in a garage?

The last idea is different and the picture is just for an idea, not what I would actually use.

Unfortunately I am persona non grata with manager Homan and the council as I have questioned several of the projects they have proposed.

I am still working on the problem so I haven't forgotten, actually it is quite stressful even with the extension.

Thank you for your time

Sincerely,

Mike Dolan
Spokane Valley
509-499-6771

Jenny Nickerson

From: Jenny Nickerson
Sent: Friday, April 18, 2025 11:29 AM
To: Tim Wirun
Subject: FW: SVMC 19.65.130 Mike Dolan

Tim,

Please see below. Would you add this to the case notes? Thank you, happy Friday! JRN

Jenny Nickerson // Building Official
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5305 // jnickerson@SpokaneValleyWA.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.
42.56 RCW.

From: Mike Dolan <dolan.mike.s@gmail.com>
Sent: Friday, April 18, 2025 6:35 AM
To: Jenny Nickerson <jnickerson@spokanevalleywa.gov>
Subject: SVMC 19.65.130 Mike Dolan

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Good morning.

I am not sure who to notify but I got my shipping container out and sent it to a guy in Idaho.

Mr. Homan and the citizens of Spokane Valley can rest tonight knowing they are safe again after two plus years of terror.

Have to say it is sad to see my garage packed full again and piles all over my driveway with things that used to be properly stored and protected from the elements.

Thanks again for your help and patience. Hope you have a great weekend.

Mike Dolan
13820 E 4th ave
SPOVAL
509-499-6771

Jenny Nickerson

From: Jenny Nickerson
Sent: Monday, April 21, 2025 4:40 PM
To: Mike Dolan
Cc: Code Enforcement
Subject: RE: cargo container; GEN-2024-0108

Good afternoon, Mr. Dolan,

Thank you for the status update, sir! Code Enforcement staff performed a reinspection and confirmed that the subject shipping container has been removed from the property. Case GEN-2024-0108 is closed. Thank you again for your time, please let me or other Code Enforcement team members know if you have any questions. JRN

Jenny Nickerson // Building Official
10210 E. Sprague Ave // Spokane Valley, WA 99206
509-720-5305 // jnickerson@SpokaneValleyWA.gov



This email and any attachments may be subject to disclosure pursuant to Washington State's Public Record Act, chapter 42.56 RCW.

42.56 RCW.

From: Mike Dolan <dolan.mike.s@gmail.com>
Sent: Wednesday, April 16, 2025 10:31 AM
To: Jenny Nickerson <jnickerson@spokanevalleywa.gov>
Subject: cargo container

[EXTERNAL] This email originated outside the City of Spokane Valley. Always use caution when opening attachments or clicking links.

Update on my situation.

I spoke with Clarks containers and he recommended Facebook marketplace to try and sell it and they can move it for a fee. If nothing else works out then they can take it back. So I am on track.

By the way, last night at the open house I saw John Homan and the first thing he said to me was "am I going to have that container out by June 1st" so he has been tracking my progress.

I have attached one of the FOIA requests I was telling you about where I am mentioned in city business. I have also provided copies to all of the council people as well. Makes no difference but is still interesting reading.

Mike Dolan



Community & Public Works
10210 E. Sprague Ave.

Spokane Valley, WA 99206
(509) 720-5240

permitcenter@spokanevalleywa.gov

Code Enforcement Notes

Case # GEN-2024-0108

Status CLOSED

Parcel # 45221.9129

Parent #

13820 E 4TH AVE

Owner DOLAN LIVING TRUST

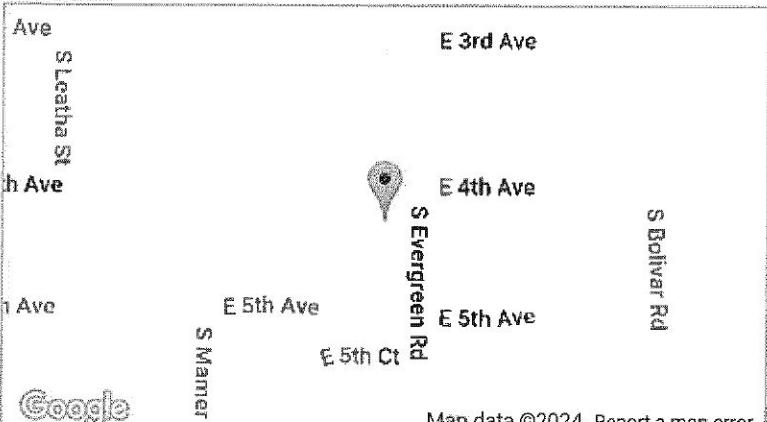
13820 E 4TH AVE

SPOKANE VALLEY, WA 99216

GENERAL	08/22/2024	SR31963 There is a shipping container located in the driveway of this residence. I think that these are not allowed in a residential zone, maybe I am wrong?
GENERAL	08/22/2024	Site visit/photos. Large shipping container on west property line. Will send WN.
GENERAL	09/16/2024	WN sent to DOLAN LIVING TRUST and OCCUPANT/TENANT 13820 E 4TH AVE SPOKANE VALLEY, WA, 99216
GENERAL	09/23/2024	Email correspondence with homeowner, Mike Dolan. Extended compliance date to 12/6/24; VCA suggested if more time is needed to address removal of shipping container. JRN 09/23/2024
GENERAL	10/23/2024	Email correspondence with Mr. Dolan; followed up with phone call to Mr. Dolan on 10/23 and discussed SVMC provisions prohibiting shipping containers as well as local shipping container retailers' knowledge of the restrictions. Mr. Dolan noted that his shipping container is full of belongings (and that he prefers that they remain free from rodents and spiders). I suggested compliance date of 6/1 to ensure that he has ample time after winter weather has passed. He agreed and I noted that I would ask Code Enforcement to draft a VCA and contact him to arrange for signature. JRN10/23/2024
GENERAL	10/31/2024	VCA completed and sent to Mike Dolan. Unsigned
GENERAL	10/31/2024	VCA. Unsigned.
GENERAL	11/04/2024	Signed VCA returned from Mike Dolan 10/31/2024. Code Enforcement signed 11/04/2024.
GENERAL	11/04/2024	E-mail correspondence.
GENERAL	11/05/2024	Additional Email communication.
GENERAL	02/28/2025	Email received from Mr. Dolan on 2/24. Called and spoke with him about extension opportunity (suggested we revisit that topic in May when the VCA expiration is drawing near). Also discussed relocating the container to an enclosed structure or carport (noting setback and permit requirements). Advised Mr. Dolan that a privately-initiated CTA process is another option he may wish to consider. Responded to email with link to CTA info as an example. JRN 02/28/2025
GENERAL	04/18/2025	E-Mail correspondence from Mike Dolan to Building Official Jenny Nickerson stating that the shipping container has been removed from the residential property at 13820 E. 4th Ave. Spokane Valley, WA. 99216. C/E will inspect property to verify compliance.
GENERAL	04/21/2025	Shipping container has been removed from property. Case closed.
GENERAL	04/21/2025	Case closure confirmation email sent to responsible party. JRN 04/21/2025

Service Request 31963

Record Info

Request ID:	31963	Request Type:	Other
Priority:	2	Entered By:	anonymous
Date Submitted:	8/21/2024 2:01:00 PM	Cross Street:	
Address:	13820 E 4th Ave Spokane Valley		
			
District:			
Comments:	There is a shipping container located in the driveway of this residence. I think that these are not allowed in a residential zone, maybe I am wrong?		
Private Notes:			
Disclosure of Identity:	My identity can be disclosed.		
Electronic Signature:	Anonymous		
Date:	8/21/2024		
Internal Only_Smart Gov Number:	GEN-2024-0108		

Submitter Info

Name:	Anonymous	Email:	
Address:	Spokane Valley, WA 99216		
Phone #:			
Alt. Phone #:	Extension:		
Notify:	<input checked="" type="checkbox"/>		
Business Name:			

Activity List

Date:	8/21/2024 2:01:00 PM
User:	anonymous
Comments:	Service Request Open - ID 31963 Routed To: CodeEnforcement, mlemons Comments: There is a shipping container located in the driveway of this residence. I think that these are not allowed in a residential zone, maybe I am wrong?
Date:	8/22/2024 9:06:00 AM
User:	mlemons

Comments:

GEN-2024-0108

Thank you for contacting the City of Spokane Valley. Please be advised that your concern has been routed to the Code Enforcement Officer for investigation. For updates please contact us at (509) 720-5240 and reference the above case number.