

RESOLUTION NO. 2146

A RESOLUTION OF THE KIRKLAND CITY COUNCIL FINDING THE EXISTENCE OF A PUBLIC NUISANCE RESULTING FROM THE STORAGE OF AUTOMOBILE HULKS ON PRIVATE PROPERTY FOR A PERIOD IN EXCESS OF 30 DAYS, PURSUANT TO SECTION 11.76.060 OF THE KIRKLAND MUNICIPAL CODE, AND PURSUANT TO SECTION 11.76.040 OF SAID CODE ORDERING AND DIRECTING THE CHIEF OF POLICE TO REMOVE OR CAUSE TO BE REMOVED SAID AUTOMOBILE HULKS AND PARTS AND ABANDONED VEHICLES FROM THE PROPERTY HAVING A COMMON ADDRESS OF 431 9TH AVENUE AND OWNED BY OMER YTTRI.

WHEREAS, on June 19, 1972, hearing was held by the Kirkland City Council pursuant to Section 11.76.040 of the Kirkland Municipal Code at the request of Omer Yttri, owner of property within the City of Kirkland having a common address of 431 9th Avenue, and

WHEREAS, during the course of said hearing evidence was presented to the City Council in the form of testimony by Kirkland police officers, residents in the general area and Mr. Yttri, and certain pictures of the property located at 431 9th Avenue and owned by Omer Yttri were presented in evidence to the Council, and

WHEREAS, from the evidence and testimony presented to the City Council, the City Council at the conclusion of said hearing did find that a number of automobile hulks and parts as defined by Section 11.76.010 of the Kirkland Municipal Code had been maintained upon the property at said address for a period in excess of 30 days and did constitute a public nuisance as declared by Section 11.76.060 of said Kirkland Municipal Code, and

WHEREAS, the City Council then adopted the following motion by unanimous vote:

"That Mr. Yttri be required to move all unlicensed and inoperable hulks within 30 days, and that he be permitted to retain the automobile described as a 'collector's item', provided he moves it out of the required setbacks and into the back yard and properly conceals it."

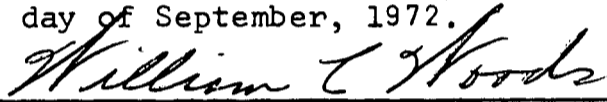
AND WHEREAS, on September 5, 1972, the Kirkland Police Department did submit photographs to the City Council taken August 21, 1972, more than 30 days after June 19, 1972, which photographs clearly disclose that the abandoned hulks and parts thereof ordered to be removed from the premises within 30 days of June 19, 1972, remained upon said premises, and it further appearing that many of them remained in substantially the same position that they appeared to be in the evidence submitted to the City Council in its hearing on June 19, now, therefore, it is hereby

ORDERED AND RESOLVED by the City Council as follows:

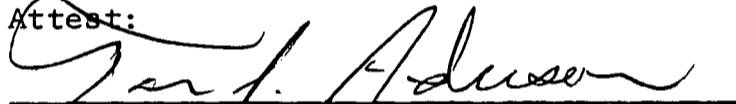
Section 1. The nuisance found to exist at the conclusion of the hearing on June 19, 1972, continues to exist without abatement and the Chief of Police is hereby ordered and directed to abate said nuisance by removing or causing to be removed within 15 days of the date hereof all abandoned automobiles, automobile hulks and parts, located upon the premises having a common address of 431 9th Avenue, Kirkland, Washington, owned by Omer Yttri, in accordance with the manner and procedure prescribed in Section 11.76.040, Subsection 4. That the cost of said removal shall be a charge against said real property and the owner thereof, and following the determination of said cost, the Chief of Police or other appropriate city official is directed to file a claim of lien against said property for said amount with the Office of Elections and Records for King County.

Section 2. A certified copy of this resolution shall be mailed to Omer Yttri, 431 9th Avenue, Kirkland, Washington, by certified mail with return receipt requested.

ADOPTED by majority vote of the Kirkland City Council in regular meeting on the 5th day of September, 1972.

  
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Mayor

Attest:

  
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Director of Administration and Finance  
(ex officio City Clerk)