

# Land Use

## ▶ Code Enforcement FAQ

The purpose of this worksheet is to provide answers and resources to frequently-asked questions concerning municipal land use code enforcement. This sheet provides information about local mediation services; the legal, procedural, and factual framework for land use enforcement; and can help connect you to resources to address concerns of a civil or criminal matter.

### WHO IS CODE ENFORCEMENT?

Code Enforcement is a division within the City's Community Development Services Department. The role of the code enforcement officer is to respond to potential zoning violations that constitute a public nuisance on private property.

Similar to most jurisdictions in Western Washington, the City of Blaine has a citizen complaint-driven program of enforcement; the City does not actively police private property for potential zoning violations.

### HOW DO I ADDRESS A CONCERN WITH MY NEIGHBOR?

If you are seeking relief from conditions on a property in your community, there are a number of options available to you.

- ⇒ Try making contact with the responsible person. Describe your concern, discuss how your concern affects you and/or the neighborhood, and consider possible solutions.
- ⇒ Attend or initiate a neighborhood meeting and get involved with other neighbors in solving area concerns.
- ⇒ The Dispute Resolution Center of Whatcom County is an excellent source for resolving conflicts between various parties. If you believe that your issue would be better resolved through mediation between the two parties (one example being a noisy neighbor), and not through the City's code enforcement process, please contact the Dispute Resolution Center of Whatcom County.

**DISCLAIMER:** This worksheet is provided as a courtesy and is not a substitute for the adopted provisions of the Blaine Municipal Code (BMC). This sheet, though updated frequently, may not reflect recent policy decisions related to the interpretation of the BMC or code updates. The City of Blaine, Washington, shall assume no liability for any errors, omissions, currency, completeness, overall quality or inaccuracies in the information provided, regardless of how caused.



### WHAT TYPES OF ISSUES DOES CODE ENFORCEMENT HANDLE?

**Unhealthy or Unsightly Conditions in the Public View:** Properties with an accumulation of garbage, old appliances/furniture, and discarded lumber or other construction materials and/or vehicle parts that is clearly visible from the public right-of-way or other public space.

**Dangerous or Unsafe Buildings:** Vacant buildings that are being accessed by unauthorized persons or a vacant building where the exterior is not being maintained.

**Illegal Construction:** Additions, alterations, sheds, patio covers, carports, and garage conversions constructed without a permit and/or are not compliant with the City's zoning standards.

**Weeds or Overgrown/ Dry Vegetation:** Weeds or vegetation that exceeds 18 inches in height and poses a threat to the public health, safety and welfare. This does not apply to healthy trees and shrubs or vegetation located in flower beds.

### WHAT DOES NOT CONSTITUTE A LAND USE CODE ENFORCEMENT VIOLATION?

**Civil Disputes.** A dispute about the location of a property line/boundary; hazardous trees on adjacent properties; excessive noise from a non-commercial property; home owners associations (HOAs); easement negotiations; and tenant-landlord disputes are not enforced by the City. A surveyor or land use attorney may be able to assist in a resolution.

**Public Property and Spaces.** The City of Blaine Public Works Department responds to structures, items or activities that either temporarily or permanently obstruct any public right of way (ROW), park, parklet or public open space without an authorizing permit. This may include inappropriately placed signage; garbage on a sidewalk or street; or blocking of a public access easement.

Email: [customerservice@cityofblaine.com](mailto:customerservice@cityofblaine.com)  
Phone: (360) 332-7124

**Public Safety.** The City of Blaine Police Department responds to criminal violations. This may include abandoned or illegally parked vehicles in the ROW or trespassing.

Email: [police@cityofblaine.com](mailto:police@cityofblaine.com)  
Phone: (360) 332-6769

**Animal Control.** Animal control services for Whatcom County are operated by the Whatcom County Humane Society.

Phone: (360) 733-2080

# Frequently Ask Questions

## **WHAT IS A VIOLATION?**

A violation is an instance where a residential and/or commercial property does not meet the regulations/standards as set out in the City's ordinances.

## **HOW DO I REPORT A LAND USE CODE ENFORCEMENT VIOLATION TO THE CITY ?**

Download a Customer Service Request Form by clicking the [link](#) and return it to the Community Development Services Department. The City will only investigate credible complaints.

Address: 435 Martin St. Suite 3000 Blaine, WA 98230

Email: [enforcement@cityofblaine.com](mailto:enforcement@cityofblaine.com)

Phone: (360) 543 - 9837

## **IS MY CONTACT INFORMATION SUBJECT TO PUBLIC DISCLOSURE?**

If you wish to maintain your anonymity in the event of a records request, please refrain from including any personal information on the Customer Service Request Form.

## **I'VE REPORTED A VIOLATION TO THE CITY. SHOULD I CONTACT THE CITY FOR A STATUS UPDATE ON MY NEIGHBORS EFFORTS TO ACHIEVE COMPLIANCE?**

Because the city's enforcement program is complaint driven, you as a citizen play an important role in informing the department of potential violations. However, once a Customer Service Request is received it becomes the responsibility of the code enforcement officer to investigate, confirm and seek compliance from the responsible property owner. It is not the City's policy to update or inform a complainant of the status on an active enforcement case.

## **WILL I GET FINED IF A VIOLATION IS PRESENT ON MY PROPERTY?**

The City's goal is to help property owners reach compliance, not to issue fines or penalties. The following steps may be taken by the code enforcement officer once a violation has been identified:

Step 1 – Notice of Violation: The code enforcement officer will notify the responsible property owner of the violation and what steps are needed to reach compliance. The notice will be mailed to the property owner via Certified Mail.

Step 2 – Voluntary Corrections: After the property owner has been notified the code enforcement officer will work with them to reach voluntary compliance. The code enforcement officer and the property owner may enter into a Voluntary Corrections Agreement (VCA), which is a legally binding document that describes the violation(s), the steps for gaining compliance and the consequence if compliance is not reached.

Step 3 – Notice of Civil Violation: If compliance cannot be completed through voluntary correction the code enforcement officer may issue a Notice of Civil Violation. A Civil Violation is a non-criminal citation that allows the City to issue fees and penalties or even abate the violations of the responsible property.

## **HOW LONG DO I HAVE TO REACH COMPLIANCE?**

The length of time is determined by the code enforcement officer upon observation of the violation. The property owner will have a minimum of two-weeks to achieve compliance with the necessary corrective action.

## **WHAT IF I DON'T UNDERSTAND THE NOTICE I GET?**

If a property owner or resident needs clarification, it is best to contact the code enforcement officer who issued the notice. The contact information for the code enforcement officer is located on each official notice from the City.

## **WHAT IF I NEED MORE TIME?**

For an extension, please contact the code enforcement officer who issued the notice.