

CITY OF SNOHOMISH
Snohomish, Washington

ORDINANCE 2076

AN ORDINANCE OF THE CITY OF SNOHOMISH, WASHINGTON, AMENDING THE CITY'S PUBLIC NUISANCE ORDINANCE SMC 9.94.030 BY PROHIBITING ACTIVITIES AND OBSTRUCTIONS WITHIN VISIBILITY TRIANGLES TO PRESERVE SIGHT DISTANCES AND AMENDING SMC 14.29.200 DEFINING AND SETTING DESIGN AND DIMENSIONAL CRITERIA FOR SIGHT CLEARANCE IN NEW DEVELOPMENT.

THE CITY COUNCIL OF THE CITY OF SNOHOMISH, WASHINGTON DO HEREBY ORDAIN AS FOLLOWS:

Section 1. Ordinances 1911 and 2074 and Chapter 9.94 of the Snohomish Municipal Code are hereby amended by amending SMC 9.94.030 to read as follows:

9.94.030 Nuisances Declared. The following specific acts, omissions, places and conditions are declared to be public nuisances:

A. Erecting, continuing or using any building or other place in the City for the exercise of any trade, employment or manufacture, which by occasioning noxious exhalation, offensive smells or other annoyances, becomes injurious and dangerous to the health, comfort or property of individuals or the public.

B. Causing or allowing any offal, filth, poison, or noisome substance to be collected or to remain in any place, street, highway, or alley in the City to the prejudice of others.

C. Building or maintaining any structure in such condition as to be dangerous to the health of the citizens of the City.

D. Obstructing or encroaching upon or rendering unsafe for passage any public highway, private way, street, alley, park, square, driveway, lake, or stream in the City.

E. Carrying on, within the City limits, a business of manufacturing gunpowder, nitroglycerin, or other highly explosive substance, or mixing or grinding the materials therefore, in any place within two hundred fifty yards of any building in existence at the time such business may be commenced.

F. Any wrecked, inoperable, abandoned or disassembled trailer, house trailer, boat, tractor, automobile or other vehicle, or any parts thereof. A junk vehicle includes

apparently inoperable, immobile, disassembled or extensively damaged vehicles. Evidence of inoperability and damage includes, but is not limited to, a buildup of debris that obstructs use, a broken window or windshield, a missing wheel, a flat tire, a non-functional motor or transmission, missing bumpers, or missing license plates; provided nothing herein shall prevent the keeping or storage of any vehicle on private property which is screened from view.

G. Camping, placing, standing or locating any occupied trailer, house car, camp car, or mobile home on any street, alley, or highway, within the City, except within a trailer camp. Trailers, house cars, camp cars or mobile homes shall not be located for more than twenty-four hours on any street, alley, or highway within the City, subject to any other regulations or restrictions for that street, alley or highway, and may not be used for living and/or sleeping accommodations.

H. Placing, depositing, keeping, having or leaving in or upon any private lot, building, structure or premises, or in or upon any street, avenue, park, parkway or public or private place in the City any one or more of the following conditions, places or things:

1. Any putrid, unsound or unwholesome bones, meat, hides, skins, or the whole or any part of any dead animal, fish or fowl.
2. Privies, vaults, cesspools, sumps, pits or like places which are not securely protected from flies or rats, or which are foul or malodorous.
3. Filthy or littered trash-covered cellars, house yards, factory yards, vacant areas in rear of stores, vacant lots, houses, buildings or premises.
4. Animal manure in any quantity which is not securely protected from flies and the elements, or which is kept or handled in violation of any ordinances of the City.
5. Poison oak or poison ivy (whether growing or otherwise), liquid household waste, human excreta, garbage, butcher's trimmings and offal, parts of fish, or any other vegetable or animal matter in any quantity; provided nothing in this chapter shall prevent the temporary retention of waste in receptacles in the manner approved by the City or the dumping of nonputrifying waste in a place and manner approved by the City.
6. Tin cans, bottles, glass cans, small pieces of scrap iron, wire, material, bric-a-brac, broken crockery, broken glass, broken plaster, scrap building materials, and all such trash or abandoned material unless the same be kept in covered bins or galvanized iron receptacles approved by the City.
7. Trash, litter, weeds or grass, rags, accumulations of empty barrels, boxes, crates, packing cases, mattresses, bedding, excelsior, packing straw, or other

packing materials, lumber not piled, scrap iron, abandoned stoves, kitchen appliances, tin and other metal not neatly piled, or anything whatsoever in which flies or rats may breed or multiply or which may be a fire danger.

8. Any abandoned unattended or discarded icebox, refrigerator, freezer or other container having an air-tight door or lid and a snap lock or other locking device which may not be easily released from the inside when such lid or door is in a closed position.
9. Allowing trees and shrubs to overhang the public sidewalk with less than nine feet of vertical clearance; allowing trees and shrubs to overhang the public street with less than twelve feet of vertical clearance; or allowing grass and weeds to attain a height of over six inches on private property pursuant to section 8.20.112 of the Snohomish Municipal Code.
10. Allowing trees, shrubs or other objects, improvements or obstructions to exist in visibility triangles to be kept clear to preserve sight clearance for vehicular and pedestrian travel. A visibility triangle shall be maintained for all corner lots in all residential districts. If the property corner does not have a radius, the visibility triangle shall be determined by measuring lines from the intersection of the property lines abutting two intersecting streets, or an intersecting alley and street, for a distance of fifteen (15) feet in both directions. The terminus of the two line segments shall be connected by a third line to complete the area of the triangle in which sight obstruction shall be prohibited and be a public nuisance. If the property does have a radius, the visibility triangle shall be determined by extending the opposing lines from their points of curvature creating a point of intersection, then measuring from said intersection of the property lines abutting two (2) intersecting streets, or an intersecting alley and street, for a distance of fifteen (15) feet in both directions. The terminus of the two line segments shall be connected by a third line to complete the area of the triangle in which sight obstruction shall be prohibited and be a public nuisance.
11. Discharging, directly or indirectly, into the City's storm drain system or into the waters of any stream, lake, wetland, or similar area within the City, any material that shall cause or tend to cause a polluted condition of such system or waters, including but not limited to any organic substance or chemical compound which causes or contributes to the violation of applicable state water quality standards, as set forth in Chapter 173-201A WAC, which is hereby adopted by reference, except that the following discharges shall not be considered nuisances:
 - a. Flushing of water lines or other potable water sources;
 - b. Flushing of residential hot tubs or residential swimming pools;

- c. Landscape irrigation or lawn watering;
 - d. Diverted stream flows pursuant to required permits;
 - e. Crawl space pumping;
 - f. Non-commercial washing of vehicles;
 - g. Fire-fighting activities;
 - h. Discharges specified in writing of the City to be necessary to protect the public health and safety;
 - i. Dye-testing that is verbally authorized by the City before the test; and
 - j. Discharges permitted under an NPDES permit and in compliance with all permit requirements.
12. Causing or allowing any other nuisance as defined in section 9.94.030 or other provision of the Snohomish Municipal Code.
13. Any other act, omission, condition or thing which:
- a. Unreasonably injures or endangers the comfort, repose, health or safety of others, or
 - b. Offends public decency, or
 - c. Is offensive to the senses of reasonable persons, or
 - d. In any way renders other persons insecure in life or use of property.

Section 2. Sight Clearance. Snohomish Municipal Code 14.29.200 is hereby amended to read as follows:

14.29.200 Sight Clearance. At all intersections between streets, and/or between streets and alleys (collectively “streets”), there shall be no sight obstructions. A visibility triangle shall be maintained for all corner lots in all residential districts. The visibility triangle shall be determined by measuring lines from the intersection of the property lines abutting two (2) intersecting streets for a distance of fifteen (15) feet in both directions. The terminus of the two line segments shall be connected by a third line to complete the area of the triangle in which sight obstruction shall not be permitted in conjunction with the normal side setback requirement of each land use designation.

Where a property corner has a radius, the visibility triangle shall be determined by extending the opposing lines from their points of curvature creating a point of intersection, then measuring from said intersection of the property lines abutting two (2) intersection streets for a distance of fifteen (15) feet in both directions. The terminus of the two line segments shall be connected by a third line to complete the area of the triangle in which sight obstruction shall not be permitted.

Section 3. Effective Date. This Ordinance shall take effect five days after publication by summary.

Section 4. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

PASSED by the City Council and APPROVED by the Mayor this 1st day of March, 2005.

CITY OF SNOHOMISH

By _____
LIZ LOOMIS, MAYOR

Attest:

By _____
TORCHIE COREY, CITY CLERK

Approved as to form:

By _____
GRANT K. WEED, CITY ATTORNEY