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Skagit County Auditor

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PLANNING AND DEVELOPMENT SERVICES

GARY R. CHRISTENSEN, AICP, DIRECTOR
OSCAR GRAHAM, DEPUTY DIRECTOR

PATTI CHAMBERS
Administrative Coordinator

BILL DOWE, CBO
Building Official

CERTIFIED MAIL

Friday, March 24, 2006

NOTICE AND ORDER TO ABATE

Pacific Ocean Products, Inc.
P.O. Box 193
La Conner WA 98257

Pacific Ocean Products, Inc.
c/o Kyong Kim
12132 Pacific Highway SW
Lakewood WA 98499

Town of La Conner
204 Douglas St.
La Conner WA. 98257

CASE NUMBER: Investigation request CE06-0081,
Building permit BP01-1398

SUBJECT: Property located at 1218 Conner Way
La Conner WA 98257

DESCRIPTION: Parcel number P74477
Assessor's Account Number: 4129-018-023-0102
Laconner Tide Lands lot 30-34-2

Pursuant to Skagit County Code (SCC), 15.04 and the 2003 International Building Code Section 115 Unsafe Structures and Equipment, the Building Official has determined this to be an unsafe structure.

Pursuant to LaConner Municipal Code §13.05, the 1997 Abatement of Dangerous Buildings, the building on the property described above is hereby classified as a dangerous building.

1997 Uniform Code for the Abatement of Dangerous Buildings (UADB) Section 401.1 Commencement of Proceedings states:

"When the building official has inspected or caused to be inspected any building and has found and determined that such building is a dangerous building, the building official shall commence proceedings to cause the repair, vacation or demolition of the building."

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The violation(s) noted are as follows:

1. Structural deficiencies were identified in an October 22, 2001 report by engineer Peter Chopelas, PE (Chopelas report) and the repairs recommended in that report were approved as the repair plan for this structure under building permit BP01-1398. The repairs identified in that report have not been started.
2. The Chopelas report and the building official's inspection identify structural deficiencies that result in this building's classification as a dangerous building pursuant to the 1997 Uniform Code for the Abatement of Dangerous Buildings, Sections 302.5, 302.7, 302.8, 302.9, and 302.10

Background of the violations.

The property described above, classified as occupancy group F-1 Factory and Industrial in the 2003 International Building Code (IBC) was inspected on 3/17/06 by Commercial Plans Examiner Tim DeVries along with John Doyle, Planning Director, Town of La Conner and Brian Lease, Public Works Director, the Town of La Conner Public Works. It was inspected again on 3/20/06 by Tim DeVries, Skagit County Building Official Bill Dowe, Assistant Building Official Al Jongsma and Plans Examiner Steve Kramer. On both occasions the following structural deficiencies were noted:

1. Structural steel columns exhibit visible bending under extreme loads.
2. Structural wood columns are punching through the floor.
3. Multiple locations of rotted floor joists that are allowing collapse of floor systems.
4. Concrete slabs are falling and breaking apart due to collapsing floor joists.
5. The building is leaning toward the center, which is causing upper floor support beams to be pushed out of place and creating loads on other structural members not designed for those loads.
6. Exterior walls are collapsing inward.
7. A report by Engineer Peter Chopelas dated October 22, 2001 was submitted by the Olympic Fish Company in building permit BP01-1398 as the repair plan for this building. The report identified high risk areas, labeled "CRITICAL", to be immediately repaired. Those repairs have not been performed.

This is not a complete list. Many other structural and non-structural deficiencies were noted but the above items are sufficient to determine that this building should be considered in imminent danger of collapse and therefore is dangerous for the public to be in or near.

The actions necessary to correct the violations noted above are:

1. Pursuant to IBC Section 115.3, the remedy to this condition is the removal of the unsafe portions of the building or structural repair to restore a safe condition, including obtaining of required permits, within 60 days of the date of this notice. Pursuant to Section IBC 115.2, a copy of this notice will be recorded on the title of this property.

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If you fail to comply with this notice in abating all violations as required, within the time allotted, the Director may take the necessary action to cause the corrections to be made. All costs incurred from such actions will be assessed against you and the property and filed as a lien against the property. This matter may also be referred to the Town of LaConner for further enforcement action.

NOTE: La Conner Municipal Code §15.135.330 Penalties – Civil Penalty, authorizes a civil penalty "\$100.00 per day for each continuous violation to be directly assessed by the mayor or designee until such violation is corrected. The penalty shall be \$200.00 per day for the second separate violation and \$300.00 per day for the third separate violation of the same regulation within any five-year period". Civil penalties assessed are collected as a special assessment lien and are paramount (come in front of) to all other liens, such as Deeds of Trusts of Banks.

A recorded lien for civil penalties is considered a violation of the requirements of the typical real estate loan and Deed of Trust or Mortgage, and the lender on that loan can start foreclosure proceedings against your property. If you have any questions about that, please contact your bank or other lender on this property.

Appeals of this notice and order must be in writing and must be received within fifteen (15) calendar days of receipt of the notice and order. Appeals will be in accordance with SCC 14.44.120.

Our main goal is to obtain a prompt correction of the violation(s) and bring closure to this dispute.

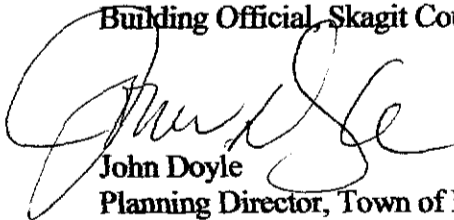
Lawsuits are time-consuming and expensive. It would be in everyone's best interests to correct these violations immediately and avoid the necessity of a lawsuit.

If you have any questions regarding this notice, please contact the undersigned at (360) 336-9410.

Sincerely,



Bill Dowe
Building Official, Skagit County



John Doyle
Planning Director, Town of LaConner

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