

# CITY OF SPOKANE ETHICS COMMISSION

## ETHICS COMPLAINT FORM

RECEIVED

JAN 02 2020

Office of the City Attorney

Please review the City of Spokane's Code of Ethics – Chapter 1.04A SMC – before completing this complaint form. When you have completed this form, submit it to:

City of Spokane Ethics Commission  
Attention: Rebecca Riedinger  
Office of the City Attorney  
5<sup>th</sup> Floor Municipal Building  
W. 808 Spokane Falls Blvd.  
Spokane, WA 99201

or at: [rriedinger@spokanecity.org](mailto:rriedinger@spokanecity.org)

\*\*Please be advised that the completed complaint form is a public record pursuant to the Washington State Public Records Act, Chapter 42.56 RCW and will be filed with the City Clerk's Office, posted on the Ethics Commission's website and provided to the person who is the subject of the complaint as well as any other individual making request for a copy of the complaint. The Ethics Commission's review of the complaint will occur in a meeting open to the public. \*\*

Pursuant to the City of Spokane's Code of Ethics, I am filing a complaint regarding conduct which I believe constitutes a violation of the City's Code of Ethics.

**Name, position, and department of person(s) I believe to have violated the Code of Ethics:**

Name:

Don Polson, Heather Trautman

Position/Title:

Code Enforcement

**Nature of Code of Ethics violation:**

What specific provision of SMC 1.04A.030 do you believe has been violated?

SMC 17C.110 - 340 Zoning violations

Describe in as much detail as possible the alleged Code of Ethics violation conduct. Attach additional sheets of paper, if necessary. Please include all documentation you believe demonstrates a violation. Your description should include the date, location and frequency of the alleged violation.

See Attach statement

Names and positions of the persons who may have witnessed the event:

Evidence or documentation

Please list any evidence or documentation that would support your allegation of a Code of Ethics violation. Indicate whether you can personally provide that information.

see attach documentation.

### Complainant Declaration

I declare under penalty of perjury of the laws of the State of Washington that to the best of my knowledge, information, and belief formed after reasonable reflection, the information in the complaint is true and correct.

Norbert J. Leute  
Complainant's Signature

31 Dec 2019  
Date

Date and Place (e.g. City, State)

\_\_\_\_\_  
Name (please print): Norbert Leute

Address: 5009 N DRISCOLL BLVD

Phone Number(s): 509 251 6022

E-Mail Address: greeneyes20e@gmail.com

I would like to file an ethics complaint against Code Enforcement. Code Enforcement have shown they can't fairly and equitably enforce the local codes.

There are two major parts of this complaint that I want to address.

**First, is the illegal structure that was built within a foot of my property line without my written approval.**

Before I get into this, I would like to give you my experience with Code Enforcement over the years. In the 90's, I contacted code Enforcement twice. **Both times they said there was no code and you can do whatever you wanted on your property.**

On or about 2001/2002, I contacted Code Enforcement about car batteries thrown on the ground by the occupants of the house behind us. It took several days before Code Enforcement to respond to my call.

By the time Code Enforcement responded, the batteries were gone. However, I did address and was willing to file a complaint about the abandoned vehicles, rotting boat, rusting motorcycle, and assorted trash and junk cluttering the entire backyard.

I told the female Code Enforcement officer that it was a terrible eyesore and causing a severe mice problem. I took her in my garage and showed all the mice traps and mice droppings. I had to wear gloves and a mask because of my asthma. The mice come in the winter and leave in late spring because the garage gets hot during the summers.

The Code Enforcement officer stated that there was no code for abandoned motor vehicles on private property. There was no code for junk. Again, their words were echoed by this officer "**you can do whatever you want on your property.**" Yet, in 2010, I filed a complaint that found there was a violation and made the owners clean up the property. Once that happened no more mice problem.

Now let me address the zoning violation that falls under building setback violations. I'm attaching a copy (attachment 1) of a complaint submitted on 16 July 2018. Code Enforcement never responded to my complaint. I didn't find this surprising.

My second attachment is a picture of my property and the adjacent property with the showing the illegal structure. This was taken prior to 2009. This was given to me by the engineering department in September 2009.

The third attachment is a copy of the definition of the setback rule. It states that the illegal structure needed to be five feet from my property line. By all accounts, the current renters determine the property line. I was never asked about it.

My fourth attachment is a copy of email addressing how Code Enforcement address my complaint of zoning violation. Why the Code Enforcement officer was comparing my carport to the illegal structure was beyond my understanding? I didn't realize if I took the roof off my house it is not a structure anymore.

The fifth attachment is a copy of the Spokesman Review dated 30 April 2011. It shows the city zone changes made in 2011. Prior to 2011, only garages could be built within five feet of my property with my written permission. I never gave the landlord, or his renters written permission to build the illegal structure near my property. **What this proves the Code Enforcement officer lied to us.**

The sixth attachment is an email I sent to city council member Bob Apple. I never got reply. Yet, I sent letters and emails to two different mayors and many city council persons making them aware of this problem. Just silence and crickets chirping in the background.

**To sum this up Code Enforcement lied about there no being a code for building zone violations and covered up their lies.**

Next, **they can selectively discriminate in how they enforce the codes and violations.** We felt we were at a disadvantage because we were homeowners. Code Enforcement officer never dealt with the rental property owner only the renters.

Moreover, **they have the power to change the building codes without approval of the city council.** This allows Code Enforcement to be discriminatory in its action, thus, opening itself to corruption. The Code Enforcement officer said if you take the roof off it is not a structure anymore. Thus, it is not a building zone violation.

**Code Enforcement ignored that I never given written permission to build the storage structure near my property.** Moreover, they never asked me where the property line was. They allowed the renters to determine the property line.

Lastly, **because of the lies by Code Enforcement and the refusal to acknowledge there was a building zone code on the books led to major damage to my property. Here is a brief history of the damages.**

In the fall of 2007, I hired someone to inspect my fence posts. My fence was old and needed to be replace. I wanted to know if I could reuse the fence posts. The gentleman went to each fence post and check them for rot and sturdiness. He told me they were surprisingly in good shape and could be reuse. I had plan to do this in 2008 but had to post pone it until the following year.

In the winter of 2008, we got over 108 inches of snow. About eighty-four inches were in the last two weeks of December. By early 2009, I noticed my fence post were loose and leaning. I realized that the runoff from the roof of the illegal structure weaken the fence posts. Moreover, the renters threw snow onto my property from the roof destroying my trees. Also, the pressure of the snow from the roof contribute to weakening of the fence post.

Because of the location of storage structure and the covering in front of the garage, the renters threw the snow on to my other trees; severely damaging them. I was unable to hold them accountable because I never witness them throwing snow onto my property. They did this at night.

In September 2009, the renters attached metal bar to my fence to the storage unit without my approval or knowledge. I found this out will cleaning up around the trees I cut myself on the bar. Mr. Covey told me he did this to hold up the fence. After some choice language, I had him remove them. I kept asking myself why would Mr. Covey do this after all the damage he has just caused?

**In the end, Don Poulson, the Code Enforcement officer, saw the damage done to our property and refused to correct the violation. I tried to address this with the director of Code Enforcement, Heather Trautman, who said it was a failure to communicate. She helped cover up this wrongdoing.**

**Now I would like to address the storage of the firewood.** I'm submitting a copy (attach 7) of my complaint submitted on or about December 2009. Code Enforcement told me it fell under the fire department. See attachment 8, my letter I wrote to the fire chief in January 2010. I got a letter (attachment 9) referring to Code Enforcement and Mr. Henry. I'm attaching a letter (attachment 10) I wrote to Mr. Henry. I never got reply.

Lisa Jones, Fire Marshall, came out to the house and talked to me. I showed her the firewood and where it was being stored by my property. I also, showed her the damaged done to our property because of the location of the firewood stored in an illegal structure. I suggested that the renters move the firewood on the other side of their garage. It would have resolved any problems.

She went and talked to Mr. Covey, the renter, not the property owner. They spoke for almost twenty minutes or more minutes under the tree. She came back and refused to tell me what was discussed. It seems she had him reduce the wood by two-thirds and move it ten from the other property line. However, she had him move the wood about a foot from its original position. To do this he had to move the illegal structure. It seems she allowed the renters to determine the property line. Yet, Code Enforcement refused to make the renters move the illegal structure.

I'm attaching (11) the letter she wrote. She mentions combustible material as being the primary reason for allowing the wood to be in place. One of the reasons I wrote the complaint was Mr. Covey, the renter, at the time, would do metal grinding and welding by the garage. I would watch sparks fly twenty to thirty feet. The garage contains flammable and possible combustible material and three vehicles. Yet, the wood on the other side, in an open area, ten feet away from any building was moved. Something didn't feel right.

In 2018, I wrote a letter (attach 12) to the fire chief about the storage of the firewood. A Mr. Bob Ellis, Deputy Fire Marshall (attach 13) , came out to the house. He said that the storage of the firewood now falls under Code Enforcement. He said he went to Code Enforcement to ask about the storage of firewood. They gave him the sheet (attach 14) showing wood neatly stacked ten feet or more from a house/building. **Why didn't Code Enforcement respond to my letter? If the picture is the way it supposes to be stored why hasn't it been corrected by Code Enforcement?**

There is a third part of this complaint that defines what Code Enforcement was all about. The first week of November 2014, I went to city hall. Your pine tree uprooted falling on our garage. The landlord and the renters were denying us access to our garage to finish the repairs. We had a permit. They were demanding a ransom to give us access to our garage.

I signed in at the desk and went up to Code Enforcement. There was a middle age woman outside the door. She won't let me enter Code Enforcement. I explained my situation. She still refused my access. I told her I wanted to speak to the person in charge. Again, she refused to get anyone. We had two major windstorms that did severe damages to properties. Yet, Code Enforcement was refusing me access to their offices for no reason. It was discriminatory and just wrong. I have no prove, but I did bring to the mayor's and city council members attention. All you could hear were the crickets.

**In conclusion, Code Enforcement failed to do their job whether it was based on ineptness, selective discrimination or corruption. By not enforcing the code and correcting the zoning violation resulted in thousands of dollars in damages to our property. The stress they caused contribute to me almost dying in August 2018.** I believe I've made my case with the evidence provided to you. If you decide to investigate this case, please contact me before you talk to anyone. I would like to show you the physical evidence. I'm currently going through pictures to see if they help in the complaint.

Norbert Leute  
5092516022 cells  
greeneyesoe@gmail.com



Neighborhood Services,  
Code Enforcement, & Parking  
808 W Spokane Falls Blvd  
Spokane Wa 99201-3333  
(509) 625-6083 Fax 625-6802

# COMPLAINT FORM

Please complete this form and return it to the address at left or via email at [CodeEnforcement@SpokaneCity.org](mailto:CodeEnforcement@SpokaneCity.org).  
Provide as many relevant details as possible.

## COMPLAINT TYPES (Check all that apply)

<input type="checkbox"/>	<b>Garbage/Debris</b>	<i>Yard debris including household garbage, furniture, appliances and misc. junk. SMC 13.02</i>
<input type="checkbox"/>	<b>Graffiti</b>	<i>Graffiti on buildings, fences, walls, etc. SMC 10.10.090</i>
<input type="checkbox"/>	<b>Right of Way Violation Obstruction</b>	<i>Blocking a pedestrian path, broken sidewalks, collapsed retaining walls, modifications of grade, basketball hoop, skateboard ramp, pile of materials or buildings in the right of way, vegetation obstruction, snow obstructing sidewalks, plowing snow into the right of way. SMCs 17C, 17F &amp; 12.01 &amp; 12.02</i>
<input type="checkbox"/>	<b>Substandard Building</b>	<i>Substandard includes broken or missing doors or windows, fire damage, leaning walls, sagging or holes in the roof. SMC 17F.070</i>
<input type="checkbox"/>	<b>Vegetation Fire Hazard</b>	<i>Tall, dry vegetation during hot, dry weather and fire hazard season has been declared. SMC 10.08</i>
<input checked="" type="checkbox"/>	<b>Zoning Violation</b>	<i>Parking in the front yard, illegal home business, continuous yard sales, living in a camper or RV, sign code violations and building setback violations. SMC 17C.110-340</i>

## VEHICLE COMPLAINT TYPES (Check all that apply)

<input type="checkbox"/>	<b>Abandoned Vehicle (on the street):</b> <i>Vehicle without a known owner and that appears inoperable. SMC 16A.61.651(A)</i>	<input type="checkbox"/>	<b>Junk Vehicle:</b> <i>Junk vehicles on private property or on the street, Junk vehicle criteria: at least three (3) years old, extensively damaged, apparently inoperable. SMC 10.16</i>
<input type="checkbox"/>	<b>Parking Too Close to Driveway, Crosswalk, Stop Sign, Alley, Etc. or Against Signage:</b> <i>Parking in, in front of, or in too close proximity to a driveway, alley, stop sign, crosswalk, fire hydrant, bicycle lane, etc. or stopping, standing or parking where official.</i>	<input type="checkbox"/>	<b>Disabled Parking/Placard Abuse:</b> <i>Unauthorized use, improper display, or lack of a disabled placard/plate in a marked disabled stall or making the access aisle inaccessible. SMC 16A.61.381</i>
<input type="checkbox"/>	<b>Wrong Direction Parking:</b> <i>Parking a vehicle against the flow of traffic. SMC 16A.61.575</i>	<input type="checkbox"/>	<b>Parking in Alley:</b> <i>Parking in an alley in a manner that obstructs traffic or otherwise does not adhere to regulations. SMC 16A.61.563</i>
<input type="checkbox"/>	<b>Registration Violation:</b> <i>Parking a vehicle on the street with registration tabs improperly displayed or expired for more than 45 days. SMC 16A.61.567</i>	<input type="checkbox"/>	<b>Non-Passenger Vehicle in Residential Zone:</b> <i>Parking a motor home, trailer, camper, watercraft, or other non-passenger vehicle in a residential zone. SMC 16A.61.562</i>
<input type="checkbox"/>	<b>Continuous Parking:</b> <i>Parking continuously on a block face for more than 24 hours. SMC 16A.61.561.A</i>	<input type="checkbox"/>	<b>Other:</b> <i>To report a violation that is not listed, please complete "Additional Comments" on the next page.</i>

## ADDRESS COMPLAINT IS LOCATED AT

See attached ltr.

CONTINUE ON NEXT PAGE



## COMPLAINANT INFORMATION

A SIGNED COMPLAINT FORM IS NECESSARY BEFORE CODE ENFORCEMENT OR PARKING SERVICES CAN INVESTIGATE, UNLESS A LIFE THREATENING ISSUE EXISTS. **ANONYMOUS COMPLAINTS ARE NOT ACCEPTED.**

Print Your Name: norbert Leute Phone Number: 50932686815009

Your Address: 5009 N Driscoll Blvd City & ZIP: Spokane 99205

Your Signature: \_\_\_\_\_ Date of Submittal 16 July 2018

**Confidentiality preference:** Disclosure of information revealing your identity will depend on application of the public disclosure law, chapter 42.56RCW, other applicable statutes and whether the complaint is criminally prosecuted. Please initial in the space that indicates whether you desire information revealing your identity be disclosed. Failure to initial will result in information being subject to disclosure.  
**By checking Do Not Disclose I am indicating that the disclosure of my name would endanger my life, physical safety or property.**

initial: \_\_\_\_\_ **DO NOT DISCLOSE** \_\_\_\_\_ **YOU MAY DISCLOSE**

**The violation must be visible from the public right of way, or you must indicate that you would like us to contact you for permission to view the site from your property.**

I give you permission to view the site from my property: ☒ Yes ☐ No

I request that an acknowledgement of this complaint be sent:

by email to \_\_\_\_\_

by mail to 5009 N Driscoll Blvd spokane 99205

VEHICLE COMPLAINT	Vehicle #1 Information	VEHICLE COMPLAINT	Vehicle #2 Information
MAKE:		MAKE:	
MODEL:		MODEL:	
LICENSE #:		LICENSE #:	
COLOR:		COLOR:	
OTHER DESCRIPTION:		OTHER DESCRIPTION:	

## COMPLAINT SUMMARY/ADDITIONAL INFORMATION

How long has the violation existed? 2006

Property Occupant (if known): Mr. Covey and Mr. Albert

Additional Comments:

See attached letter.

I want to file a complaint that the property owner, Mr. Sun and Mrs. , who owns the rental property at 5003 N Driscoll Blvd, allowed their renters to build a structure within five feet of my property line without getting our written permission. I would like to give a history of our actions to resolve this situation.

On or about 2006, Mr. and Mrs. Sun, allowed their renters, Mr. Covey and Mr. Albert, to build a storage unit within inches of my property line. The roof hung over onto my property. Mr. and Mrs. Sun never got our written permission. This structure had multi-purposes. During the fall and winter, it stored fire wood. During the spring and summer, it was a basic storage unit.

On or about 2007, I was concerned about the run off and the structure being close to our fence. I contacted Code Enforcement about filing a complaint and explained the problem to them. They told me there wasn't a code on the books that prevented anyone from building within five of our property. They said that property owners and renters can do whatever they wanted on their property. This was not the first time I heard Code Enforcement use these same words. Unknown to me at the time, there was a code on the books that spoke to building structures. The only structure that could be built within five of my property was a garage. Moreover, it needed the adjacent property owners written permission.

In December 2009, while recovering from surgery. I was researching the building code for another problem created by Code Enforcement and other people within city hall. During this research, I found something called a five-foot set back rule. In 2010, I filed a complaint stating that Mr. and Mrs. Sun violated the five-foot code that resulted in damage to our fence and trees.

There were three reasons for filing this complaint. First, the run-off from the roof weaken the fence post. In fall of 2007, I hired some one to inspect the fence posts. He said they were in great shape. I was going to rebuild the fence using the old fence post. However, the actions of Mr. and Mrs. Sun's renters destroyed any chance of using the old fence post. Secondly, their renters, with their support and permission, took the snow off the roof of the structure, housing the firewood, and tossed into our yard destroying the trees bordering the fence. I had to cut five trees down. Moreover, the run-off and snow weaken and destroyed the fence posts. Thirdly, Mr. and Mrs. Sun's renters, with their knowledge, threw snow off the garage roof onto our trees destroying at least three more trees. Mr. and Mrs. Sun's renters had no other place to toss snow because of the structure location. These trees survived equally bad snow/ice storms in the past without a bent or broken branch but didn't survive Mr. and Mrs. Sun's renters.

Someone came out from Code Enforcement, I showed this individual the damaged done to our property. Looking me in the eyes, this individual, stated that the City of Spokane doesn't enforce the five-foot setback rule. He didn't even mention the building code on record which I would become aware later. I was speechless; how could Code Enforcement pick and chose what codes to enforce?

I filed another complaint. My neighbor was building a structure in his back yard. I wanted to see what Code Enforcement would react to this structure being built. The same individual came out. Two distinct things were said to me. First, my neighbor didn't need to have a permit to build the building. Lastly, if it is five feet from the property line it was fine. This was the five-foot setback rule. At that moment, I asked this person, why the structure built by Mr. Sun's renters doesn't fall under five-foot back rule?

Again, I address this discrepancy why one structure falls under the five-foot setback rule, but not the structure on Mr. Sun's property. This individual was speechless and got caught in a big lie. Moreover, I asked him to enforce the five-foot setback rule.

At some point, this person representing Code Enforcement, went over and talked to Mr. and Mrs. Sun's renter, Mr. Covey, instead of the property owners.. He spent some time talk about the structure. This Code Enforcement individual went out of his way to show Mr. and Mrs. Sun's renters how to get around the building code and five-foot set back rule. This official from Code Enforcement told Mr. and Mrs. Sun's renters to remove the roof. The reasoning behind this was once the roof was removed it stopped being a structure. The renters took the roof off and used as the backing of the structure. The new roof was the old backing, a plastic covering.

Using a basic dictionary, here is the definition of a structure: the way something is built, arrange or organized (such as a house, garage, bridge, etc.) that is built by putting parts together and usually stands on its own. My fence is a structure.

This individual showed a disregard of the law and building codes. Moreover, this individual ignored the damage done to our property. How does someone in Code Enforcement over ride and amend a code without approval from the city council? This individual took upon himself to redefine the building code. The five-foot setback rule and what a structure is or isn't.

I contacted the director of Code Enforcement who told me that this a communication problem. I told her this was not a communication problem. This was someone failing to do their job and to enforce the building code as written. This was the last I heard from the director. Lastly, I got a call from this same individual who told me over the phone that he had directed Mr. and Mrs. Sun's renters to take down the structure. This Code Enforcement official told me, "There is a pile of firewood on the ground with a plastic covering." As we were talking, I went outside and looked where the structure was built. Nothing had change. I asked this individual why they were deceiving us, again? They phone went dead.

In November 2010, Mr. and Mrs. Sun and their renters took me to small claims court. I had to prove in court that I wasn't faking my military disability. Moreover, Mr. and Mrs. Sun's renter, Mr. Covey, said I called the Code Enforcement official a liar. This was true. How would he known this unless someone in Code Enforcement went out of their way to tell him? Also, he had access to documents and letters I had written without going through Freedom Information Act. Someone in Code Enforcement was willing to retaliate against us. That is why there is no names in this statement; fear of retaliation.

In November 2014, I went to Code Enforcement. Our garage was damaged in the first wind storm. We had a city permit to fix our garage. Mr. and Mrs. Sun were denying us access to our property to finish the repairs on the garage. I went to Code Enforcement because we had a permit and the law allows me to access my property without interference. Code Enforcement had a door guard screening people. She refused to let me in Code Enforcement office to talk to someone. After I explained to her our situation, she said not their problem. I asked to talk to the person in charge. She refused my request again.

What I expected was to talk to someone about our situation. If I was in the wrong place, you would make a few calls and send me to the correct office or people. This is called good customer service. What I experienced was a selective discrimination problem during a time we had a natural disaster that affected many households. My thoughts have wonder if we have been blacklisted by the city.

I have asked myself why someone would risk their job and reputation by not enforcing the building codes, as written and approved by the city council. First, one possibility was they were directed to do this either by the Mayor's office or someone on the City Council. The mayor's office and the city council went out of their way to cover up wrong doing by city personal. Secondly, someone knew someone and was doing them a favor. Again, this would have come down from someone higher position. Thirdly, what seems the most feasible possibility, it was about the money. Someone paid someone to do them a favor. It makes more sense why the mayor and city council went out of their way to cover this up. It was about corruption.

In the end, if Code Enforcement would have done their job in 2007, it would of prevented damaged and destruction of our property. Instead it empower the renters to even do more damage to our property. If Code Enforcement would provide needed support in 2014, we wouldn't have more destruction of our property by Mr. and Mrs. Sun and the renters.

It seems the right thing to do is have Mr. and Mrs. Sun move the structure five feet from my property line. However, doing the right thing would mean that Code Enforcement is admitting a wrong was done to us. Please call before you come to ensure that I'm present.

Norbert Leute



7/14/2009 9:00

Attach 3

### **What are my setbacks?**

Most buildings need to be set back from front, rear, and side property lines, to reduce fire danger and to provide open space. Single-family front-yard zoning setbacks are generally 20 feet in low density residential zones. Side-yard and rear-yard setbacks are generally 5 feet for the first 25 feet of building height, plus one additional foot for each foot of building height over 25 feet (25 foot high house = 5 foot setback, 26 foot high house = 6 foot setback, etc.) Remember, setbacks are measured from property lines, not curb lines. Zoning setbacks vary by zoning classification, so be sure to check with the Department to verify your property's setback requirements. Different types of building construction and different types of occupancies in those buildings also have certain fire-safety setbacks; if a building is closer to a property line than a required setback, different construction techniques may need to be employed. For single-family residential structures and their accessory buildings, a rule-of-thumb to avoid unique construction requirements is to set back the building at least 5 feet from any property lines.

### **Where do I get my electrical permit?**

Electrical permits for the unincorporated areas of Spokane County can be obtained from the Washington State Department of Labor and Industries, 901 N. Monroe Street, Suite 100. The local phone number is 509-324-2600, Toll-free: 1-800-509-8847, TDD: 509-324-2653

### **What is the frost depth for Spokane County?**

Frost depth for the unincorporated areas has been established at 24 inches below finished grade.

### **What is the basic minimum snow load for Spokane County?**

The basic minimum snow load for Spokane County is 30 pounds per foot. However, areas within Spokane County have snow loads as high as 150 pounds per foot. To determine your snow load, the elevation above sea level for your building site must be established. This elevation is used in conjunction with other data contained in "Snow Load Analysis for Washington" produced by the Structural Engineers Association of Washington, which may be reviewed at our offices.

### **Do I need a permit for a fence?**

Fences over 6 feet in height require building permits.

### **Do I need a fence around my swimming pool?**

Residential swimming pools, spas, and hot tubs containing water over 24 inches deep, and installed on the premises of a detached one- or two-family dwelling, or a one-family townhouse not more than 3 stories in height, for the sole use of residents and invited guests, are required to be provided with a fence or barrier that complies with the requirements of the

Attch 4

**Norbert Leute**

**From:** "greeneyes Zoe" <greeneyes Zoe@comcast.net>  
**To:** "Polson, Dan" <DPolson@SpokaneCity.org>  
**Sent:** Monday, January 25, 2010 9:25 AM  
**Subject:** Re: Status of Code Enforcement Complaints

Thank you for responding to my e-mail. My complaint was with the set back rule with any structure. The tenants still have a structure within five feet of my property that was my complaint. The roofing was part of that structure. He just replace one roof with a different roof covering. First of all, I didn't remove any covering. Secondly, the city I could put it back up if only I put in a firewall. We are talking about apples and oranges; two different things. Could you please explain why the five foot set back rules doesn't apply in this case? It was a structure.

Norbert Leute

— Original Message —

**From:** [redacted]  
**To:** [redacted]  
**Sent:** Monday, January 25, 2010 7:46 AM  
**Subject:** RE: Status of Code Enforcement Complaints

Dan Polson  
 Code Enforcement  
 City of Spokane  
 509-625-6066

**From:** greeneyes Zoe [mailto:greeneyes Zoe@comcast.net]  
**Sent:** Sunday, January 24, 2010 10:16 AM  
**To:** Polson, Dan  
**Subject:** Fw: Status of Code Enforcement Complaints

I requested up dates on my complaints and Celeste replied to my letter. I had some questions and she referred me to you. I'm forwarding my e-mail in reply to Celeste e-mail.

Norbert Leute

— Original Message —

**From:** [redacted]  
**To:** [redacted]  
**Sent:** Wednesday, January 20, 2010 6:13 PM  
**Subject:** Re: Status of Code Enforcement Complaints

Celeste:

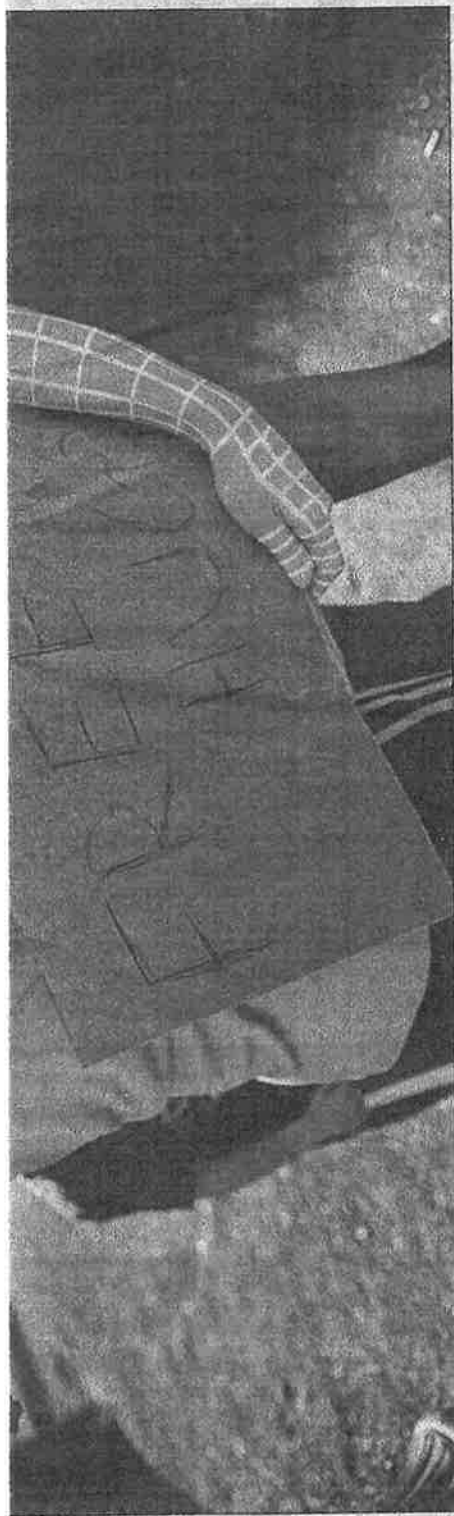
Thank you for replying in a timely matter. It is much appreciated. Could I get some clarification in how E0903603zone violation has been corrected. I know in the last week that 4830 has removed all of the the junk vehicles that were addressed in my complaint. However, at 4836 there was a zone complaint. As I address in my complaint, 4830 and 4836 may be two different address but is used as one big back yard. I made no junk vechicle or solid waste complaint for 4903 it was about shoveling the sidewalks of snow.

6/9/2014



Apr 30 2011

Arch 5



COLIN MULVANY colinm@spokesman.com

**Super-friendly:** "It's good to know people are smiling after being hugged by a superhero," said Tim Hensz, a North Central High School student who, dressed as Spider-Man, gives Michelle Long a free hug in Riverfront Park on Friday. Hensz spent about an hour and a half in the park offering free hugs. About two dozen people took him up on the offer. All the hugged left with smiles on their faces.

## New zoning rules met with surprise, anger

**Mayor apologizes for city's poor outreach to residents**

By Jonathan Brunt

jonathanb@spokesman.com, (509) 459-5442

A series of zoning rules, many routine, have reignited the anger of opponents of the planned new Jefferson school on Spokane's South Hill and forced Mayor Mary Verner to

process.

The Spokane City Council this week unanimously approved most of the rules, but held off on one of the most controversial ideas, an ordinance that would make it easier for elementary and junior high schools to build larger parking lots. Current city law says those schools need to obtain a variance for parking lots with more than 1 1/2 parking spaces per classroom. Spokane Public

## Among the changes

The Spokane City Council this week approved a series of changes to city zoning rules, including:

- Allow sinks and toilets to be installed in garages. They hadn't been allowed to be installed since 2006.
- Allow churches and schools in residentially zoned areas to build steeples or other structures up to 52 1/2 feet tall. The limit had been 38 feet.
- Allow construction of greenhouses, sheds and some other kinds of structures within the 3- or 5-foot setback from the property line in side yards with written permission from the affected neighbor. Until the change, that ability only existed for garages.
- Allow duplexes and multifamily buildings in single-family zones to be rebuilt and used under grandfathered rules in the event of destruction caused by fire or other catastrophic event.
- Allow veterinarian offices to have a kennel to board animals for observation in a soundproof building without obtaining a

beach, where a male and female were found dead, police said.

Authorities believe the bodies are those of Smith and Lykke, but an autopsy will be performed to confirm the identities and determine the causes of death.

The Spokane County and Stevens County sheriff's offices are assisting in the investigation.

Staff reports

## Pedestrian dies after being struck

MOSCOW, IDAHO — A

37-year-old Moscow woman has died from injuries she suffered when she was struck by an SUV while crossing a street, according to the Idaho State Police.

The ISP said Carrie L. Lokteff was in or near a crosswalk when she was struck just before 11 p.m. Thursday. She died about five hours later at Kootenai Medical Center in Coeur d'Alene.

State police said the 19-year-old Moscow man driving the SUV, Ranger Adams, didn't see Lokteff as she crossed the street. The incident was under investigation.

Associated Press

## Red Cross volunteers heading to Alabama

The American Red Cross of



ATTch  
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**Norbert Leute**

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**From:** "Norbert Leute" <greeneyesoe@comcast.net>  
**To:** "bapple" <bapple@spokanecity.org>  
**Sent:** Tuesday, May 17, 2011 4:10 AM  
**Subject:** Zoning Changes

I notice in the newspaper the city council made some zoning changes. The one that caught my eye is the one that allows construction of greenhouses, sheds and some other kinds of structures within the 3 to 5 foot setback from the property line is side yards with written permission from the affected neighbor. Until the change, that ability only existed for garages.

My question to you prior to this zoning changes what was the enforcement policy on people who violated the 3 to 5 foot set back?

Thank you for taking the time to read and answer my question.

Norbert leute

ATTACH 7



NEIGHBORHOOD SERVICES &  
CODE ENFORCEMENT  
808 W SPOKANE FALLS BLVD  
SPOKANE WA 99201-3333  
(509) 625-6083 FAX 625-6802

Office Use Only Reply card/email sent:	Yes <input type="checkbox"/> No <input type="checkbox"/>	Officer:
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## CODE ENFORCEMENT COMPLAINT FORM

Please complete this form and return it to the above address. Provide as many relevant details as possible including specific address. **A SIGNED COMPLAINT FORM IS NECESSARY BEFORE THE CODE ENFORCEMENT OFFICE CAN INVESTIGATE, UNLESS A LIFE THREATENING ISSUE EXISTS OR IF IT IS OTHERWISE DEEMED APPROPRIATE TO ACT.**

### Section 1. COMPLAINT LOCATION INFORMATION

ADDRESS OF PROPERTY COMPLAINT:

5003 N DRISCOLL BLVD

If you do not know the specific address be as descriptive as possible about its location. For example: the south west corner of X & Y street...or...2 houses east of my address...or...3rd lot in from the corner of X & Y on the north side of the street, etc.

IF KNOWN:

PARCEL NUMBER \_\_\_\_\_ PROPERTY OWNER \_\_\_\_\_  
NAME OF RESIDENT \_\_\_\_\_ PHONE NUMBER \_\_\_\_\_

### Section 2. COMPLAINT SUMMARY

How long has the violation existed? \_\_\_\_\_

☐ Garbage/debris ☐ Zoning Violation ☐ Substandard Building

☐ Junk Vehicles

Most common examples include:

☒ Fall dry vegetation  
Fire Hazard

- ☐ Parking in the front yard
- ☐ Too many/prohibited animals
- ☐ Illegal Home Business
- ☐ Continuous Yard Sale
- ☐ Living in camper/RV
- ☐ Sign code Violation
- ☐ Building setback violation

Please describe on reverse side

Examples include:

- ☐ Broken Windows
- ☐ Fire damaged building
- ☐ Leaning Walls
- ☐ Sagging or holes in roof
- ☐ Missing doors

☒ Other  
STACK of firewood

Please use the back of the form for details, any explanations or additional complaints

### Section 3. COMPLAINANT INFORMATION

Print your name Norbert Leate Jr

Your Address 5009 N DRISCOLL BLVD

Zip Code 99205 Home Phone 326 8681 Work Phone \_\_\_\_\_

Confidentiality preference: Disclosure of information revealing your identity will depend on application of the public disclosure law, chapter 42.17RCW, other applicable statutes and whether the complaint is criminally prosecuted. Please initial in the space that indicates whether you desire information revealing your identity be disclosed. Failure to initial will result in information being subject to disclosure. **By checking Do Not Disclose I am indicating that the disclosure of my name would endanger my life, physical safety or property.**

NI Do Not Disclose  
Initial

\_\_\_\_ You May Disclose  
initial

4. ADDITIONAL COMPLAINANT INFORMATION

Violation must be visible from the public right of way. Or you must indicate that you would like us to contact you for permission to view the site from your property.

Will you give me permission to view the site from my property ☒ Yes ☐ No

Contact: Norbert + MARO Contact Phone: 326 8681

☒ I request that an acknowledgement be sent to my address so I know that you have received my complaint: NI Yes ☐ No

☐ Please send my card by email to this address \_\_\_\_\_

☒ Please send my card by regular mail to the address I have listed on the front of this form

☐ Please send my card by regular mail to this address instead: \_\_\_\_\_

Section 5. COMPLAINT SUMMARY/ADDITIONAL INFORMATION

My neighbors, I believe, created a potential fire hazard. One side of the yard, opposite my property, they have stacks of firewood against the fence that is about 5 feet high and about 15 to 20 ft long. Along my fence he has stacks of firewood in a structure that isn't fireproof, that is caddy corner to my garage. It is my understanding that firewood needs to be stored 10 feet from any structure. If the firewood would catch on fire it would quickly spread to my property. It seems some type of firewood needs to be built to protect surrounding properties. Along with this, is the nuisance of cutting the wood with a very loud, noisy chain saw. I have not complained in the past, but when you spend 3 hours (12-3pm) cutting wood on a Sunday (15th Nov), it is a disturbance and a nuisance. If they burn that much wood it makes me wonder if their wood burning stove meets air quality requirements.

ATTACH 8

5009 N Driscoll Blvd  
Spokane, WA 99205  
January 24, 2010

Spokane Fire Chief  
44W Riverside Ave  
Spokane, WA 99201

To Chief Bobby Williams:

On or about December 30, 2008, our driveway covering collapse due to the large amount of snow we got that month. In September 2009, our contractor started to replace our fence and driveway cover. The City of Spokane, Code Enforcement came out and told us to stop putting in my fence and driveway cover/carport; I was never officially given anything in writing. We were told I was required to have a firewall where my vinyl fence was going. Their reasoning was that our cars are a potential fire hazard and might catch on fire.

This firewall would have cost us more money, making it financially unfeasible to continue on with the project, and its only purpose was to protect the rental property next to ours. The firewall provides no protection to my house or property, yet we had to pay for protecting a rental. We were replacing our wooden fence which was part of the support for the driveway cover. Our vinyl fence and a covering would have met the city material spec requirements.

Now there is no fence or driveway covering. If our car was to catch on fire it would spread to rental property. If the tenants' car caught on fire it would spread to our property. We have lived here for eighteen years and not one of our cars caught fire. The previous owners never had a car caught on fire. Where is the fire threat? The rental property has a pine tree that over shadows my driveway. If our other car caught on fire it would quickly spread to the tender box pine tree. Yet, there are no buildings or fire codes for property owners to maintain their trees that cover a driveway. Our neighbor behind us is building a large garage like shed and the city says they can do it without a permit. Yet, there is no concern this building meets any fire code.

Our point is there are lots of potential fire hazards around us and in our homes. If we maintain these areas there will be no fires. However, if we neglect or are careless a fire will happen. We maintain my cars and they are not a fire hazards. We would like to see where the city of Spokane and your office declared our cars a potential fire hazard or that all cars have been deemed a potential fire hazard within Spokane city limits.

Another point I would like to make is the tenants in the rental property have two wood burning stoves. Our concern is the massive stock of fire wood in the backyard. I wrote a complaint to the city stating I felt that the wood pose a fire hazard to my property the way it is stored. The tenants have one stack of wood about 20 to 30 feet long and five high on one side of the yard. By our property, he has another stack of wood. The Code Enforcement said there is no building or fire code for the proper storage of firewood. I know outside the city limits it is recommended that it is stored ten feet from the house or buildings. Why isn't there any fire code for residents to store fire wood to where it doesn't become a potential fire hazard to their neighbor's property?

I would like to invite you to our house to get a full view of what we are talking about. We have invited the Mayor and city council, but no one took up our invitation. You can contact me at  
or 326-8681.

Norbert Leute

Atch 9

*Spokane*  
**FIRE DEPARTMENT**



**ROBERT S. WILLIAMS**  
FIRE CHIEF

February 2, 2010

Norbert Leute  
5009 N. Driscoll Boulevard  
Spokane, WA 99205

Dear Mr. Leute,

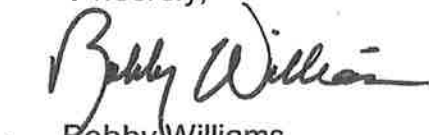
I am sorry to hear about the collapsed carport at your residence. Last year's snow certainly brought a lot of challenges to our community. I am glad that we are not experiencing those kinds of conditions again this year.


After receiving your letter dated January 24, 2010, we checked on this issue with the City's Building Department, because new construction projects are regulated by the International Building Code and are within their purview. They responded that they've talked to you about the carport/fence project at your location; however they do not have a permit on record for the project. The first step, if not already completed, would be to submit a plan/drawing of the proposed project and get a permit from the Building Department. Please feel free to contact Sean Shields, Permit Coordinator, at 509.625.6106, if you have questions related to this permit.

With respect to your complaint about your neighbor's stacks of firewood, the fire code requires at least 10' of clearance from property lines for combustible storage, however this distance can be reduced to three feet for storage not exceeding six feet in height or when the fire official determines that no hazard to the adjoining property exists. I have referred your complaint about your neighbor's stacks of firewood to the City Code Enforcement Office; however they will need a specific address. Please contact John Henry at 509.625.6087 with the specific address, and they will address your complaint from there.

Thank you for your safety concerns. We understand and appreciate your need for clarification.

Sincerely,

  
Bobby Williams  
Fire Chief



Code Enforcement Office  
City of Spokane  
808 Spokane Falls Blvd  
Spokane, WA 99201

ATTACH 10  
5009 N Driscoll Blvd  
Spokane, WA 99205  
19 July, 2010

TO: Mr. John Henry

I'm writing to you about how my neighbor, 5003 N. Driscoll blvd, stores his firewood and the construction of an illegal structure that houses the firewood.

Attached to this letter is a letter (attachment 1) from Bobby Williams, Fire Chief. He states that there is a fire code for storing firewood within the city limits. Yet, I submitted a code enforcement complaint form (attachment 2). I was told there was no code enforcement covering the storage of fire wood. Why I'm I getting conflicting stories from different sources?

The tenants, in the rental property, have three different locations where they store the firewood (see attachment 3). They store the wood right next to my fence and close to my garage. They park their vehicles next to the wood pile. The City has stated that our cars are potential fire hazards. If one of these vehicles caught on fire it could quickly spread to the firewood and to my property.

Lastly, the wood is housed in a illegal structure. I submitted another code enforcement complaint stating that the structure violated the five foot setback rule. This illegal structure caused part of my fence to collapse due to the run-off created by the illegal structure.

Don Polson had the tenants remove only the roof. But didn't have them remove or move the illegal structure, as Mr. Polson called it in his e-mail to me. When I question why the structure was not removed or move for violating the five foot set-back rule, he said there was only a stack of woof with a cover. Either Mr. Polson failed to do his job properly or he lied to me. I have pictures to show it wasn't a stack of firewood. The tenants had made improvements to the illegal structure.

You can contact me at

or 509 326-8681.

Norbert Leute

Attach 11

# *Spokane* **FIRE DEPARTMENT**



LISA S. JONES  
FIRE MARSHAL

July 30, 2010

Mr. Norbert Leute  
5009 N. Driscoll Blvd.  
Spokane, WA 99205

Dear Mr. Leute,

I recently spoke with the Director of Code Enforcement and I asked that a copy of the letter you sent to Mr. John Henry be forwarded to me, since there was a reference in there about the fire department. Upon receiving your earlier complaint in February of this year, I had advised Fire Chief Williams of the Fire Code requirements related to firewood storage, which he'd forwarded on to you. I also advised him that the City Code Enforcement Office would handle the complaint about outdoor storage (firewood), but I was mistaken, as I recently found out they do not handle this type of complaint. I am responsible for the misunderstanding and I apologize for any confusion this had caused you or anyone else.

On July 28<sup>th</sup>, 2010, I received your most recent complaint letter (dated July 19, 2010), and I checked on this issue today. As stated in the letter from Chief Williams' earlier letter, the fire code requires at least 10' of clearance from property lines for combustible storage, however this distance can be reduced to three feet for storage not exceeding six feet in height or when the fire official determines that no hazard to the adjoining property exists. I have inspected the site at 5003 N. Driscoll Blvd. and found firewood neatly stacked at three sides of the back yard area along the north, south and west fence lines. I measured the heights and widths and found nearly all areas to be under the 6' height level. A few pieces of wood extended above 6' in height. I required the resident to provide at least 3' clearance between the firewood and all property lines and keep the storage below 6' in height. The compliance date is August 15<sup>th</sup>, 2010, at which time I will re-inspect for compliance.

Thank you for your safety concerns. Please feel free to contact me if you have any questions or comments related to this matter.

Sincerely,

Lisa Jones, Fire Marshal  
Spokane Fire Department  
(509) 625-7040 office

*Partner in Safety*



Attach 12

16 July, 2018

Spokane Fire Department  
44W Riverside Ave  
Spokane WA 99201

To Brian Schaeffer:

The rental property, at 5009 N Driscoll Blvd, has between 360 to 480 cubic feet of fire wood stored less than three feet from my property line. The closeness of the wood to my property poses a serious potential fire hazard to my house, garage and property.

Before I expound on why this poses a serious threat to your property, I would like to give a history of the problems and action taken in the past. On or about 2005/2006, Mr. and Mrs. Sun's renters built a storage unit to store firewood through the winter. In the summer, it stored other things than wood. The fire wood was located less than a foot from my property line. On or about 2008, Mr. and Mrs. Sun's renters increased the size of the wood pile to its current capacity.

In 2010, I wrote a letter to the fire department about the storage of the fire wood. On the other side of the yard was another wood pile almost double the size of the one by my property. This wood was being dried out for fire wood, as I understand from Mr. and Mrs. Sun's renters. What caused me concern was that one of Mr. and Mrs. Sun's renters was using welding and a metal grinder equipment that would shot sparks twenty feet or more. The renter would do this next to the garage, which contain flammable material and vehicles. As we were taught as kids, all it takes is one spark and a spark can smolder for days.

Beside of the potential fire hazard posed to my property was the location of the fire wood. Mr. and Mrs. Sun's renters pushed and tossed snow off the wood pile onto my property destroying my trees and fence posts. The run-off of the snow and rain contribute to weaken my fence posts. Moreover, since there was no place to throw the snow off the garage, thus, damaging more of my trees. I addressed this with the the landlords, Mr. and Mrs. Sun, and they never got back to me.

Responding to my letter, a representative of the fire department came out to our house. First, the representative saw the damaged to our trees and fence and was given an explanation how the damage occurred to our property. We had a conversation on why we felt the fire wood posed a serious fire threat to our property.

During our conversations, I provided a simple solution to our problem. I suggested that the wood be moved to the other side of the garage and to the back of the garage. These two locations were ten feet

from any structure located on the adjacent properties. At the time, that part was not being used for anything. It seemed like a reasonable solution. Our conversation took about twenty minutes.

The fire department representative walked over to Mr. and Mrs. Sun's property and talked to one of the renters, Mr. Covey. They spent almost a half hour talking. Afterwards, your representative returned and told me that there is no fire code over seeing storage of fire wood. However, the fire department have great latitude in these types of decisions. The fire department representative directed Mr. and Mrs. Sun's renters to move the firewood three feet from my property line( they only moved it two).

I was highly upset with the decision because the fire department representative totally ignored the damage done to my property because of the location of the fire wood. How does a fire representative ignore the severe potential fire threat to my buildings? When I asked the your representative what was discussed between them your representative refused to answer my question.

Lastly, the fire department representative also said the fire wood on the other side of Mr. and Mrs. Sun's property would be relocated. That fire wood was reduced by two thirds in size and moved ten feet from the property line. Yet, my original complaint was to move the wood by our property ten feet from our property line. Yet, why was the wood by our property moved only two feet? The actions of your fire representative seemed very questionable, at that time.

What wasn't addressed back in 2010, was who would be responsible for any damages done to our house, garage, fence and plants should the fire wood catch on fire? We would be totally responsible for the damage done to our property. The only exception if the Mr. and Mrs. Sun, the landlords, are found to be neglect through an official investigation. We will have to hire a lawyer and try to get restitution for damage done to our property. For now, ignoring the exception our insurance company will be paying for the damages done to our property. That could be a problem within itself.

In 2014, our pine tree up rooted in the first wind storm. It destroyed our garage, patio, yard, and part of our fence. We had to fight with our insurance company, State Farm, to rebuild our garage and patio. They wanted us to reuse damaged fence panels which were sitting on top of the tree root. They wanted to reuse metal post for the patio even though half the metal footing was missing. Moreover, they said the electrical wiring, from the 50's, wasn't compromise even though I could show parts of the wiring exposed and holding one of the rafters. They didn't want us to gut the garage to do the repairs to the damage framing.

People in our neighborhood were fighting their insurance company just to repair their damage roofs. Another individual had several trees fall through their house. The insurance company wanted them to use the same electrical wiring instead of rewiring the repaired home. A State Farm representative said they can be selective what damages they want to pay for. Moreover, they can cancel our policy for any reason and declare us a high risk. Thus, affecting our premiums and having an affordable insurance policy.

This is a message USAA sent to us: USAA considers many factors when determining your premiums. Maintaining your property to reduce the probability of loss is one of the most important steps you can take in reducing premium increases. A history of claim activity will affect your policy premium. I have

no control over Mr. and Mrs. Sun's renters, but their actions can affect our premiums and declare us as a high risk. That is total wrong. That is why a fire code for storage of wood is needed in Spokane.

I would like to give an example of how a simple fire code could sound; **It is recommended, within the boundaries of Spokane City, that fire wood be stored ten feet from any structure. Firewood needs to be stored ten feet from any structure/ property line to all adjacent properties. Anything less than ten feet will need to have the written approval from the adjacent property owner(s).** This fire code would be reflective of a current building code used by Spokane City.

What happen to us in 2010 was wrong. The decision by the fire department representative sent a clear message to us; we don't have the right to protect our property. In the end, we get no benefit from the fire wood being use to heat the rental house. Moreover, we inherit all the fire risk by storing the fire wood by our property.

I would like to invite you to my house to see the damage for yourself. My contact information below. Thank you for taking your time to read my letter.

Norbert Leute

5009 N Driscoll Blvd

Spokane WA 99205

5093268681

ATCH 13



**SPOKANE FIRE DEPARTMENT**

44 W. RIVERSIDE

SPOKANE, WASHINGTON 99201-0189

OFFICE: 509.625.7044

FAX: 509.625.7006

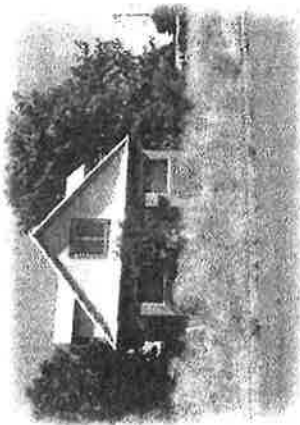
TTY: 509.625.7077

rellis@spokanecity.org

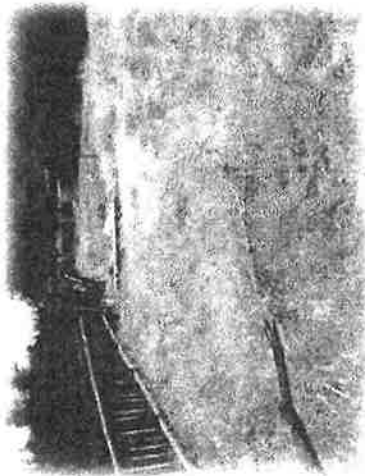
**BOB ELLIS**

DEPUTY FIRE MARSHAL

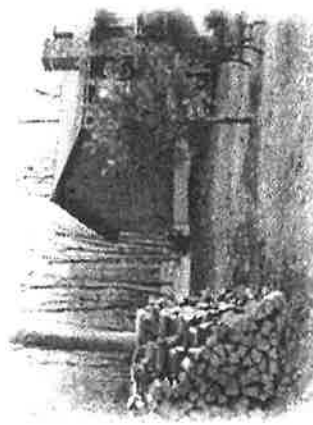
## Examples of Fire Hazards



Tall, Dry Vegetation Close to House!



Tall, Dry Vegetation Close to Fence!



Neatly Stacked Wood Away From House  
Is Not A Violation!

## Is it a Fire Hazard?

According to SMC 10.080.040 the following are considered when determining whether or not vegetation at a site is a hazard:

1. Is the situation present between May 1st to November 30th.
2. Has there been a lack of rain for 10 continuous days which has negatively affected the soil moisture content?
3. Has the average air temperature been above 70 degrees Fahrenheit for 10 consecutive days?
4. Is the length of the grass or other vegetative material, whether standing or matted, 10 inches or more?
5. Is the vegetation within 10 feet of a combustible fence or other combustible structure?

## Debris As A Fire Hazard

- It must be of considerable dryness and flammability to be able to combust and spread.
- Neatly stacked lumber, stacks of firewood, scrap metal etc. are not considered a fire hazard.
- Most cases of debris accumulation are dealt with as solid waste rather than a fire hazard.

## After A Complaint Form Has Been Filed

- A Code Enforcement Officer will inspect the property and make a determination if a violation of the code exists.
- If a violation is found, a Notice of Violation will be issued to the property owner and occupants with a date that the property must be brought into compliance.

## What If The Property Is Non-Compliant?

In most cases, the issue is taken care of after the Notice is sent but if the property is not brought into compliance the city may either:

- Have the vegetation cut and removed at cost to the owner/occupants,
- Remove the debris at cost to the owner/occupants, or
- Issue a citation for \$536.00 to the owner and occupants.

