



## Exhibit "7"

### PLANNING & PERMIT CENTER

360-755-9717

833 S Spruce Street

Burlington, WA 98233

Email: [bplanning@burlingtonwa.gov](mailto:bplanning@burlingtonwa.gov)

May 26, 2023

Bernard Morris  
Rio Vista Shop LLC  
23270 Calvary Way  
Mount Vernon, WA  
98273

RE: Notice of Violation – 1724 Rio Vista Avenue, Burlington

Mr. Morris:

On May 25, 2023 our staff visited your property at 1724 Rio Vista Avenue and documented numerous violations of the Burlington Municipal Code including unpermitted building occupancies, illegally addressed buildings and tenant spaces, zoning code violations, and nuisances. These issues must be addressed by June 26, 2023 or the City will begin assessing monetary penalties.

#### Summary of Violations

On May 25, 2023 our staff visited the property at 1724 Rio Vista Avenue and observed the following Burlington Municipal Code Violations:

1. It is a violation of BMC 17.01.110 to use a structure or property without first obtaining permits, or to use a structure or property for any use, or in any manner, prohibited by the Burlington Municipal Code. The City has no records of permits or authorizations for the uses occurring on the property.
2. The property at 1724 Rio Vista Avenue is zoned MUR-1. Our staff observed uses and activities including vehicle repair, outdoor storage, and contractor services. Vehicle repair, outdoor storage, and contractor businesses are prohibited in the MUR-1 zone (BMC 17.30.050 and 17.50.090.E).
3. Buildings and tenant space numbers were observed on numerous doors. The City of Burlington has not assigned building, tenant, or suite numbers for this property. It is a violation of the Burlington Municipal Code to post addresses or building numbers other

than those assigned by the City of Burlington and no building, suite, or tenant space may be used or occupied without an official address or unit number assigned by the City of Burlington (BMC 15.10.090).

4. The City of Burlington has not issued any occupancy permits or authorized the use, occupancy, or modification of any building or tenant space on the property. Our staff have previously conducted inspections and observed unpermitted occupancies, illegally established tenant spaces, and unpermitted building modifications. It is a violation of BMC 15.04.110 and 15.08.150 to alter, use, occupy, or modify any building or structure without obtaining permits under, and in full compliance with, the fire and building codes adopted by the City of Burlington under BMC 15.04.050.
5. The City of Burlington's records indicate the property is not connected to the municipal sewer system and the Skagit County Health Department has confirmed that one or more buildings on the property may be connected to a septic system, cesspool, or private wastewater system. In addition our staff observed a portable toilet located on the property. It is a violation of BMC 13.04.270 to maintain or use any septic system, cesspool, or private wastewater disposal system. All properties within 200 feet of a municipal sewer line are required to connect to the municipal sewer system (BMC 13.04.020). A sewer service is available adjacent to the property and no building or tenant spaces may be used or occupied without approved sewer connections and toilet facilities. Failure to connect to the municipal sewer system, or the use of a private wastewater disposal system constitutes a nuisance under BMC 13.04.450.
6. Our staff observed paint cans, lumber, pallets, electrical conduit and meter boxes, storage containers, various building materials, and debris being stored outdoors. The storage of such items constitutes a nuisance under BMC 8.12.020.L and is prohibited in the MUR-1 zone under BMC 17.30.080.C.
7. Our staff observed the storage of apparently disused, abandoned, or inoperable vehicles, equipment, trailers, and recreational vehicles on the property. Our staff also observed the storage of tires and automotive parts on the property. The storage of such items is a nuisance under BMC 8.12.020.N and is prohibited in the MUR-1 zone under BMC 17.30.080.C.

### Correction Actions

In order to remedy the violations above you must take the following actions:

1. Discontinue all use or occupancy of the buildings, suites, or tenant spaces on the property.
2. Discontinue all uses occurring on the property that are in violation of the MUR-1 zoning regulations including, but not limited to outdoor storage, wine making, warehousing,

indoor storage, vehicle or equipment repair, light industrial uses, and contractor services.

3. Discontinue all uses occurring on the property that constitute nuisances including, but not limited to the storage of building materials, electrical conduit, electrical meters, automotive parts, tires, paint cans, abandoned, junked, unused, or inoperable vehicles, equipment, trailers, or recreational vehicles. All such items must be removed from the property.
4. Discontinue the use or occupancy of any building, suite, area, or tenant space that has been established without permits or authorizations from the City of Burlington Building Official and Fire Marshal. Any use or occupancy that has not been explicitly authorized or approved shall be discontinued.
5. Discontinue the use or occupancy of any building, suite, area, or tenant space that has not been assigned an official unit number by the City of Burlington and remove any unauthorized or unpermitted unit numbers or addresses from the property.
6. Discontinue the use or occupancy of any building, suite, area, or tenant space that is not connected to the municipal sewer system. No building, suite, area, or tenant space may be used or occupied without approved toilet facilities and a connection to the City of Burlington Municipal sewer system.
7. Remove any portable toilets and decommission any septic systems, cesspools, wells, or private wastewater disposal systems located on the property in full compliance with Skagit County Health Department regulations and permitting requirements.
8. Contact the City of Burlington Building Official and Fire Marshal and schedule a complete inspection of the property and buildings. Any violations identified during the inspection process shall be immediately addressed.

### Compliance Timeline

You must take all of the corrective actions identified above and resolve all violations of the Burlington Municipal Code by **JUNE 26, 2023**. If the corrective actions identified above have not been fully implemented by June 26, 2023 the City will begin assessing monetary penalties and may pursue other legal remedies.

### Appeals

This notice of violation is an administrative decision issued under Chapter 1.44 BMC and may be appealed to the City of Burlington Hearing Examiner in accordance with the procedures in Title 14A BMC.

It is extremely important that you address the issues identified in this notice immediately. If you have any questions please feel free to contact me.

Thank you,

A handwritten signature in black ink that reads "Brad Johnson". The signature is written in a cursive style with a large, stylized initial "B".

Brad Johnson,  
Community Development Director