

Bond Case Briefs

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MUNICIPAL ORDINANCE - WASHINGTON

City of Bonney Lake v. Kanany

Court of Appeals of Washington, Division 2 - December 30, 2014 - P.3d - 2014 WL 7403963

City brought action against property owner, asserting he maintained an impermissible accessory dwelling unit (ADU) above garage in violation of municipal code, and seeking to collect fines. The Superior Court granted summary judgment in favor of city for \$48,000. Property owner appealed.

The Court of Appeals held that enforcement of municipal code provisions governing imposition of building code violation fines did not deprive property owner of procedural due process.

There was nothing discretionary about the daily fines at issue, they were automatic, and property owner had the full opportunity to appeal all aspects of his specific violation, including the ongoing daily fine, and whether fines accrued before or after the initial appeal period.