

From: Gareth Reece
Sent time: 2022/08/26 07:29:40 PM
To: Lynn Tuttle <lynnctuttle@comcast.net>; j.roache@comcast.net; xiangping_ren@yahoo.com; Kelsey Meyer
Cc: David Henderson; Don Cole; Dustin Howe <dustin@seabornpiledriving.com>
Subject: Stop Work Posted
Attachments: Stop Work.pdf image001.jpg

Good evening, All,

A stop work order was posted today for the construction on the dock shared between 7422 and 7430 E Mercer Way. I've attached a PDF copy of the order for everyone's reference.

I thought I'd follow up via email to clarify why this was the action the city took and what the next steps forward could be as I expect this is a question that will be quickly asked by the parties copied here.

The permit for the demolition of the damaged boathouse was issued under permit 1909-076. One of the conditions the City required the contractor to include in the scope of that demolition was a responsibility to verify that no existing framing to remain (that is, framing that existed prior to the demolition work and would remain following the demolition work) relied on the components to be removed (that is, the elements removed during the demolition.)

The demolition was performed but permit 1909-076 expired without a final inspection being requested. During the construction of the replacement dock and cover under permit 2104-111, the city discovered during a site visit and review of photos provided by both residents and the contractor that the duty described above had not been satisfied.

The city is unable to address this as a correction request to permit 2104-111 as that permit's scope does not refer to the southern (remaining, pre-existing) portion of the shared dock. The city is similarly unable to address this as a correction request to permit 1909-076 as that permit has expired.

The language of the order limits the restriction to work in proximity to the affected area – please see the attached copy or posting on site.

An appropriate remedy to lift this order is for the applicant to submit a revision to the active permit 2104-111. Please work together to propose a revision for the city's review and approval, as I understand a recorded dock agreement requires this (please reach out to me if this is in dispute).

Feel free to reach out to me with any questions.

CITY OF MERCER ISLAND

COMMUNITY PLANNING & DEVELOPMENT

9611 SE 36TH STREET | MERCER ISLAND, WA 98040

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STOP WORK ORDER

(SHALL BE ISSUED PURSUANT TO MICC 6.10.070)

Property Address: 7422 E Mercer Way, Permit 2104-111 & Permit 1909-076

This order is issued because: Demolition permit 1909-076 requires "Contractor to verify that no existing framing to remain relies on the components to be removed." This permit expired without any inspections. Site visit and photos reveal that the span conditions of at least two existing and remaining pile caps were modified during the demolition of the damaged boathouse. This Stop Work Order is limited to work on the southern finger pier under the subject permit. Do not occupy or use any portion of the shared dock within 5 feet of the this finger pier without approval and inspection.

DO NOT work at this address until you:

- Call (206) 275-7605 to schedule a pre-app meeting PRIOR to applying for the required permits.
- Obtain the Required Permit(s)
- Building Electrical Plumbing Right-of-Way Tree Removal
- Other Resolve discovery of framing condition with a revision to 2104-111

WARNING! DO NOT REMOVE THIS NOTICE

It is unlawful to conduct the activity or perform the work covered by the order, even if the order has been appealed, until the director has removed the copy of the order. Removal of such order without the authorization of the city, or the hearing examiner if the matter has been heard by the hearing examiner, is unlawful and a violation. Failure to comply with the terms of a stop work order subjects the person responsible for the code violation to civil penalties and costs as set forth in MICC 6.10, including a monetary penalty that shall accrue for each day that a violation of a stop work order occurs.

Right to Appeal

Pursuant to MICC 6.10.090(A), you have the right to appeal this Stop Work Order before a hearing examiner. Persons named in a notice of violation or stop work order, or any owner of the land where the violation for which such a notice or order is issued, may file with the city clerk a notice of appeal within 14 days of the service of the notice or order. Failure to appeal within 14 days shall render this Notice a final determination that the conditions described therein existed and constitute a code violation. Appeal forms can be found at <http://www.mercergov.org/files/AppealForm.pdf> or by visiting the Permit Center at the Mercer Island City Hall.

Posting Time/Date: _____

Issuing City Official: _____ Phone: _____

