

Mr. Myers

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October 5, 2006

Blaine City Council Members

RE: SELECTIVE ENFORCEMENT OF SIGNAGE ORDINANCE

Ladies and Gentlemen:

On September 25, 2006, Alex Wenger, Code Compliance Officer for the City of Blaine, sent Joel Douglas of Harbor Lands Co. correspondence concerning alleged illegal signage placed in the right of way along Peace Portal Drive in front of the Seascape Condominiums (A true and correct copy of this correspondence is attached hereto as **Exhibit A**). Douglas subsequently removed the signage at the request of Wenger.

On September 29, 2006 Douglas sent correspondence to Wenger with photos of additional signs located in and around the City of Blaine (see correspondence attached hereto as **Exhibit B**) inquiring why Terry Galvin had not taken enforcement action against such signs, given that in many instances they interefered with traffic visibility to a greater degree than the removed Seascape sign, and were for the most part attached and not portable as the Seascape sign was.

It appears that particular city officials have chosen to selectively enforce BMC 17.122.040 against Douglas and the Seascape Condominiums project, while blatantly choosing to ignore other more egregious violations of the same ordinance. I would respectfully ask the city council to look into this matter and reach their own conclusions after reviewing the evidence. Thank you.

Sincerely,



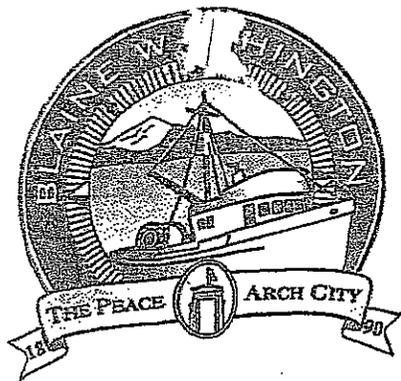
William Pardee
Harbor Lands Co.

cc: File, Client

10 October 2006

Does it matter - that a relationship exists between a planning director and his staff member in a public office ?

1. Relationships are dealt with very carefully under public laws. They predictably lead to unannounced, hidden agendas, promotions, raises in pay, and may seriously affect the work-output of persons who may or may not know and are left to guess what is happening.
2. Often the laws are written that mandate the disclosure of the relationship, in order that supervisors may more properly designate promotions and favors in the clear light of day.
3. If other persons in the office suspect the relationship, they feel left out or may develop a deficit in office morale. The sentiment might be something like : *"Well, it is none of my business, but it's sure not good public policy for her to get promoted the way she did . . ."*
4. In an environment where City departmental costs run well over \$1,000,000.00 dollars yearly in the administration of at least \$50,000,000.00 dollars worth of public and private development projects, any distracted, non-responsive, imprecise, cavalier, unseemly, misleading, misjudged or shallow performance or decisions affected by such attitudes, will invariably lead to the loss, disruption and delay running into the millions of dollars on any or all of the projects that are being administered at any given time.
5. So the impact of a simple rule-violation leads not only to multi-million dollar losses in the private and public sector, but is compounded by legal costs which arise to rectify such situations—all because of the lack of good judgment on the part of a supervisor and the failure of a responsible city manager to enforce the rules (See Blaine City Personnel Rules and Policies 3-11) rather than "look the other way . . ."
6. In the case affecting the City of Blaine, the city manager chose to "look the other way . . ."



CITY OF BLAINE

344 "H" STREET • BLAINE, WA 98230-4109
Bus: 360.332.8311 • FAX: 360.332.8330 • E-MAIL: cityhall@ci.blaine.wa.us

September 25, 2006

Joel Douglas
Harbor Lands Co.
P.O. Box 4082
Bellingham, WA 98227

Re: Seascape Condominium Signage

Mr. Douglas:

It has come to the attention of the City that a free standing sign has been constructed on Peace Portal Drive in front of the Seascape Condominiums.

According to the Blaine Municipal Code this sign is illegally placed in the right-of-way.
Blaine Municipal Code Section 17.122.040 A States:

*"Except as indicated by this chapter or by the guidelines in design overlay districts, the following signs or displays are prohibited. No prohibited sign shall be erected, modified, or relocated, nor shall the city issue any permits authorizing such signs.
A. Any privately owned signs or objects placed in the public right-of-way, except legally located portable signs."*

We ask for cooperation in removing this sign.

Respectfully submitted,


Alex Wenger
Code Compliance Officer

Enclosure

Cc:
Gary Tomsic, City Manager
Terry Galvin, Community Development Director
Steve Banham, Public Works Director
Jon Sifkin, City Attorney
Elizabeth Anderson, Community Planner



29 September 2006

TO : Alex Wengat, *Code officer*
Blaine City Hall
FAX 332-8330

RE : Please advise us on legality

Please advise us on the legality of any of these signs in question. If they are illegal, or course Mr. Galvin will want them policed, won't he ?

Most of them are sales, *like ours* ! Most of them are attached and not portable, *like ours* ! Our signs are hooked with S hooks. Most of them are on the right-of-way also, but interfere with traffic visability to some degree—*ours do not* !

Please advise us in writing what it is we need to do to be legal ?

Sincerely,

Joel Douglas

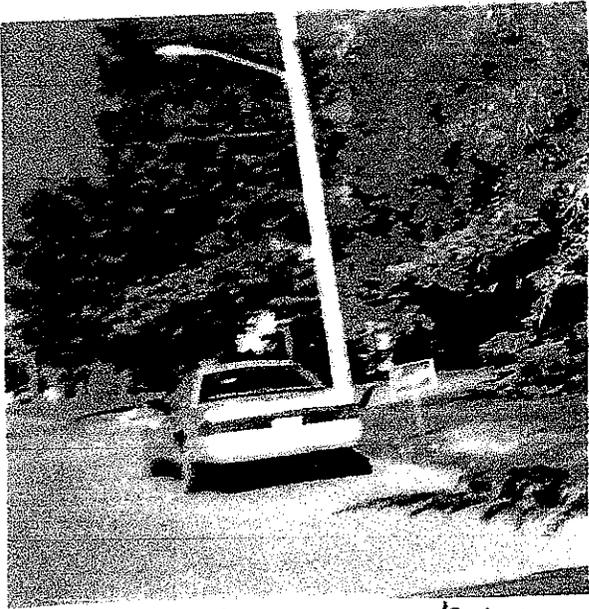
Harbor Lands Co.
P.O. BOX 4082
BELLINGHAM, WA 98227
PHONE (360)734-8191
FAX (360) 647-9223

*We will
move ours
in*

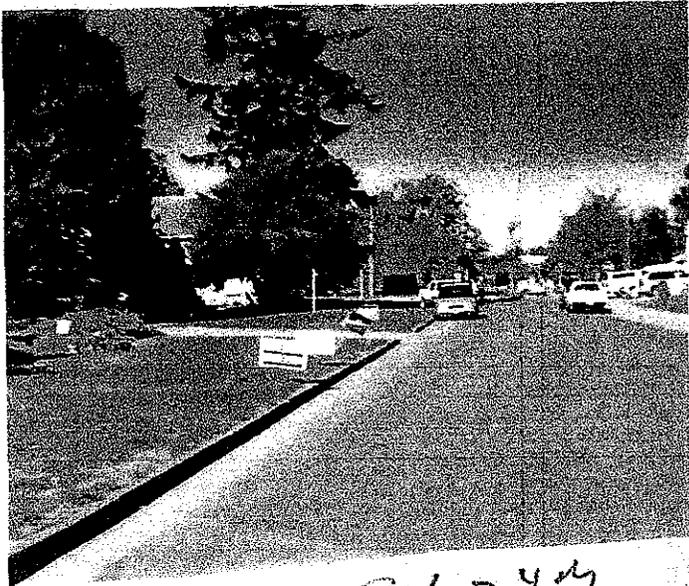
Encl - photos



28 sep-84



By 4th Dist



RW 3rd - 4th
Police
on RW

2400
Old Peoples
Sale Sign
on RW. Harbor
HS + PP.

on 4th Behr's Church
Roz



sign



Handwritten notes: "Handwritten notes: 1/24/98 2:45 PM over line" with an arrow pointing to the right.



Sign on snow

Handwritten notes: "OFF PREMISE", "Dose", "478"

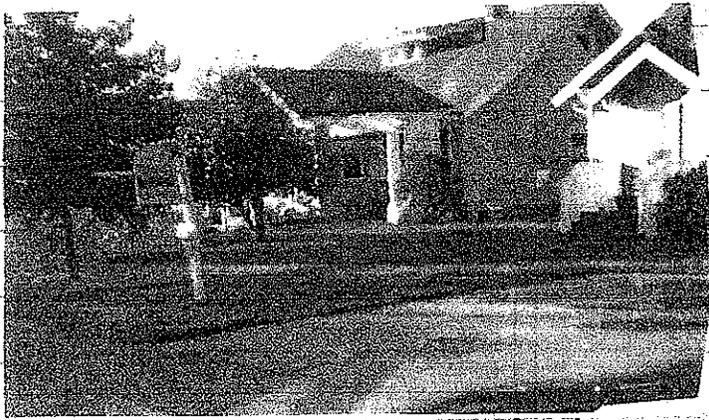




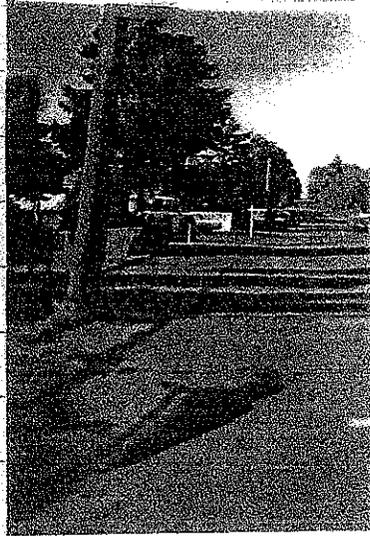
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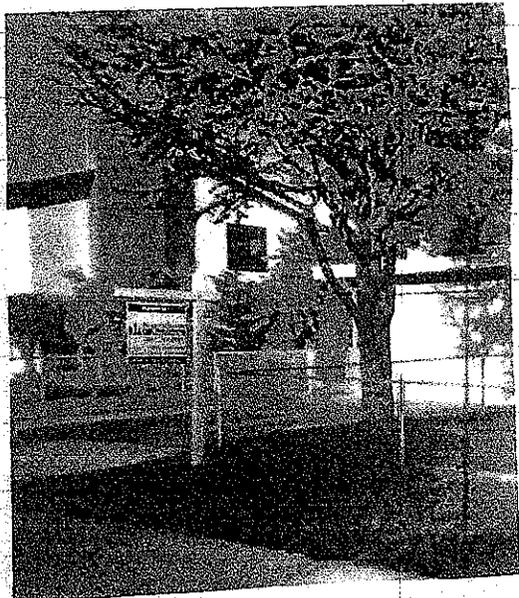
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