

## City of Seattle Department of Construction and Inspections 206/615-0808

RECEIVED

NOISE CITATION 1 6 2024

No. 1059340-CT

Cornerstone

FIRST VIOLATION \$150 Penalty	SECOND VIOLATION \$300 Penalty	REPEAT VIOLATION \$600 Penalty				
THE UNDERSIGNED CERTIFIES AND SAYS THAT AT						
PROPERTY ADDRESS: 3010 59th Ave SW Seattle, WA 98116		DATE OF VIOLATION: August 20, 2024				
DEFENDANT: LAST Cornerstone GC, INC FIRST MAILING ADDRESS:		OWNER TENANT OTHER ZONE: DESIGNATION:				
11805 N. Creek PKWY S. #11	15 Bothell, WA 98011	Contractor - NR Zone				
DID THEN AND THERE COMMIT OR IS RESPONSIBLE FOR THE FOLLOWING VIOLATIONS						
CHECK EACH THAT APPLIES:	DESCRIPTION OF VIOLATION:					
	(Include specific facts for each violation.)					
1. MUP Conditions	Violation of the Seattle Municipal Co	de 25.08; Sections: .410 and .425 A.1.				
2. Impact Activity	On the morning of Tuesday, August 20th between 4:15am - 4:45am, the construction site at Alki Elementary was loading a large piece of heavy equipment onto a trailer.					
3. Hours of Operation	This was very loud and happened well before 7:00am, SDCI was notified by several different complainant about the early construction work.					
4. Other Construction						
5. Entertainment	SDCI confirmed an oversized load move had been done per SDOT street use restrictions but there was no temporary noise variance permit approved for this					
6. Mechanical	activity. SDOT Commercial enforcement was on site and the move was done safely but the neighborhood was not notified as well.					
7. Pickup / Delivery	I followed up with SDOT Commercial group and Cornerstone GC about the violation					
8. Other Non-Construction	to make sure this doesn't happen again in the future. SDCI informed all parties including the complainants that a citation would be issued but this type of activity could occur in the future under a TNV permit.					
4	Inspector Powers and the complainant are willing to testify if the citation is contested.					
		2-20-2-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1				
I certify under penalty of perjury under the laws of the State of Washington that I have reasonable grounds to believe and do believe that the above named person was in violation of the Seattle Municipal Code, and the information contained in this citation is true and correct						
to the best of my knowledge.						
Signature: Dan J. Powers, at Seattle, WA Date: September 11, 2024						
Dan J/Powers INSPECTOR						
I certify that I mailed a copy of the foregoing citation to the above named party and address, postage prepaid, on						
[Dated] Gerald Neumann  [Administrative Specialist]						
[Dated] [Administrative Specialist]						

## INSTRUCTIONS

1059340 - CT

This notice represents a determination that a violation has been committed by the person named in the citation and this determination will become final unless you contest it by checking the 3rd box below.

Response to Citation. You must respond to this citation within fifteen (15) calendar days from the date that citation was served.\* Any mailed response must be in the Office of the Hearing Examiner by 5:00 p.m. on the day the response is due.

A citation is a non-criminal offense for which imprisonment may not be imposed as a sanction. However, failure to respond within fifteen (15) calendar days of service will result in entry of an order that you committed the violation, imposition of a penalty, and may result in additional citations or criminal prosecution.

You must respond to this citation in one of the following three ways. Please check only one of the following boxes, as appropriate. All responses must be sent to City of Seattle, Hearing Examiner, PO Box 94729, Seattle, WA 98124-4729.

Appeals must be received by the Hearing Examiner between the hours of 8 a.m. and 5 p.m., M-F. It is the appellant's responsibility to confirm with the Hearing Examiner that an appeal has been received.

	1. I agree that I either committed or am responsible for the violation and choose to pay the monetary penalty specified in the citation. [Send a check or money order, payable in US funds to the City of Seattle. Payment should be made to the Hearing Examiner's office. Do not send cash. Print the citation number on the check or money order. Only payments in full will be accepted. Citations can also be paid by phone using a Visa or Mastercard during our business hours, M-F, 8am to 5pm, at 206-684-0521.]				
	2. I request a mitigation hearing to explain the circumstances of the penalty. By requesting a mitigation hearing, you will be openalty reduction cannot be considered unless the violation is cur must contact SDCI at least four business days prior to your hearing	feemed to have committed or have red and compliance has been con	ve been responsible for to	the violation. A your hearing. You	
X	3. I request a hearing to contest the violation. I believe the violated below.  * See response on following page	lation did not occur or I am not r	esponsible for the viola	tion for the reasons	
	(Blanks must be completed. The hearing is limited to the reasons listed.)  I request an interpreter at my hearing in the following language:				
	RESPONDENT'S SIGNATURE	CITY	STATE	ZIP	
	If you request either a mitigation or contested hearing, y hearing date. Do not send payment with your hearing resembles to City of Seattle, Hearing Example 1.	equest. You will be notified	in writing of your he		
	PRINT NAME	MAILING	MAILING ADDRESS		
	AREA CODE PHONE	CITY	STATE	ZIP	

- \* The date of service is:
  - a) the date the Notice of Citation was mailed; or
  - b) the date the Notice of Citation was served on you; or
  - c) the date the Notice of Citation was posted on the property.

If multiple methods of service are used, the earliest date is the date of service.

PAYMENT OF THE MONETARY PENALTY OR REQUEST FOR A MITIGATION HEARING DOES NOT RELIEVE YOU OF THE DUTY TO CORRECT THE VIOLATION. \* Contractor had acquired permit with SDOT to perform haul during 4A-6A. SDOT advised the hauling contractor no additional/separate noise variance paperwork was necessary. The contractor followed guidance of city authorities and in good faith and appropriate effort/communication worked to follow governing requirements. It is not reasonable to penalize or inaccurately portray the contractor as having failed to comply when they were advised otherwise by the City.

The citation also fails to achieve what appears to be the City's attempt to appease the neighbors as the complaint is work was occurring in an early morning, however that is as required for this move per the City and going forward, similar moves will still prove to be a temporary nuisance to the neighbors. Helping them understand the nature of such moves and timing would better support the project and neighbors understanding and patience.