

Date: November 18th, 2025

To:

City of Ridgefield – Community Development & Code Enforcement
230 Pioneer St
Ridgefield, WA 98642

CC:

Clark County Community Development – Building Safety
Clark County Code Enforcement
Washington State Building Code Council
Washington State Department of Ecology
Ridgefield Mayor & City Council

Re: Formal Unified Complaint – Retaining Wall Violations, Surcharge Hazards, Unauthorized Excavation, Encroachment, Trespass, and Failure of the City of Ridgefield to Enforce Required Codes

To Whom It May Concern,

This letter serves as a **formal, comprehensive complaint** regarding a series of escalating violations by my neighbor that have created a significant structural hazard to my property and personal safety. Despite prior notifications, the City of Ridgefield has not taken appropriate action.

Today I discovered **new violations**, including unauthorized excavation up to my fence, unpermitted block material leaning against my soil, and construction materials stored on my fence—constituting trespass and structural tampering.

The situation now represents a **compounded and immediate life-safety hazard**, and the City's lack of enforcement violates several state and local codes.

1. Summary of Violations

The neighbor's actions violate:

Clark County Code (CCC)

- **CCC 14.06.105.2** – Retaining walls supporting a surcharge require permits
- **CCC 14.12.030** – Duty of Building Official to enforce safety codes

- **CCC 40.440** – Habitat Conservation Area violations (if applicable)
- **CCC 40.260** – Accessory building and shed requirements

Washington Administrative Code (WAC)

- **WAC 51-16-080** – Non-exempt retaining walls when there is a surcharge
- Adoption of IBC standards requiring permitting and engineering

International Building Code (IBC) – adopted by WA State

- **IBC 105.2(4)** – Retaining walls with surcharge require permit
- **IBC 1610.1** – Surcharge loads must be engineered
- **IBC 1807** – Retaining wall design requirements
- **IBC 3302–3307** – Protection of adjoining property; excavation restrictions
- **IBC 3303.3** – Storage of materials must not encroach on adjacent property

Washington RCW

- **RCW 9A.52.080** – Criminal trespass
- **RCW 64.12.030** – Injury to property of another
- **RCW 7.40** – Injunction against continued interference
- **RCW 4.24** – Liability for unsafe excavation and construction
- **Common-law trespass to land and chattel**

2. Violations Related to the Retaining Wall and Surcharge

The neighbor added a shed containing thousands of pounds of materials directly above a retaining wall. This shed constitutes a **surcharge**, a load that significantly increases pressure on the wall.

Per CCC 14.06.105.2 and WAC 51-16-080:

Any retaining wall supporting a surcharge **requires a permit and engineering.**

Under IBC 1610.1:

Surcharge loads include structures, stored materials, and other added loads.

No permit or engineering has been verified by the City, despite multiple requests.

This violates:

- **CCC 14.06.105.2**

- **WAC 51-16-080**
- **IBC 105.2, 1610, 1807**

3. New Violations Discovered Today – Unauthorized Excavation and Tampering

Today I discovered the neighbor has:

A. Excavated soil directly up to my fence line

This destabilizes the soil supporting my property and fence and constitutes:

- Unsafe excavation (IBC 3307.1)
- Negligent endangerment of adjoining property
- Violation of RCW 4.24 (liability for damages caused by unsafe excavation)

B. Placed loose block material leaning outward against my soil

These blocks:

- Are nonengineered retaining elements
- Are not permitted
- Increase the risk of sudden soil failure
- Push against the soil supporting my fence
- Are expressly unlawful under CCC 14, WAC 51-16-080, and IBC 105.2/1807

This is an attempt to create a retaining system **without permit, design, or right.**

C. Built over my fence and stored construction materials on my fence

My fence:

- Is **not owned by the neighbor**
- Was **not constructed by the neighbor**
- Was **paid for by my lessee**
- Cannot legally be used as a construction support or storage platform

This constitutes:

- **Trespass (RCW 9A.52.080)**
- **Damage to property (RCW 64.12.030)**
- **Unlawful encroachment (common-law trespass)**

- **IBC 3303.3 violation** – storing construction materials on adjoining property without permission
- **IBC 3302.1** – failure to protect adjacent property

These actions have **further destabilized the slope**, increased risk of collapse, and violated property boundaries.

4. Habitat and Critical Area Violations (CCC 40.440)

Our subdivision is documented as lying within a **Habitat/Species Conservation Area**. Any new structure, grading, or disturbance requires:

- Critical area review
- Setback adherence
- Additional permitting and environmental compliance

The shed, excavation, and block placement all appear to violate CCC 40.440.

5. Failure of the City of Ridgefield to Act

Despite previous reports, the City has not:

- Inspected the retaining wall
- Verified permits
- Enforced surcharge requirements
- Responded in writing
- Enforced critical area protections
- Issued a stop-work order
- Required engineering review

This inaction violates CCC 14.12.030, which requires enforcement of safety codes to protect the public.

The City is now on notice that continued failure to act may constitute **municipal negligence**.

6. Formal Requests for Immediate Action

Given the escalating danger, I am requesting the following **immediately**:

1. **Emergency site inspection**

2. **Stop-work order** issued under CCC Title 14
3. **Verification of all required permits** (retaining wall and shed)
4. **Structural engineering assessment by a Washington-licensed engineer**
5. **Critical areas compliance review** under CCC 40.440
6. **Removal of all block material, soil restraints, and stored items from my fence**
7. **Restoration of the excavated area** to pre-disturbance conditions
8. **Written findings within 48 hours**

7. Notice of Potential Escalation and Liability

If corrective action is not taken, I will escalate this matter to:

- Washington State Building Code Council
- Washington Department of Ecology
- Ridgefield Mayor and Council
- Insurance risk and claim authorities
- Legal counsel for injunction and damages

The City has been repeatedly notified of a dangerous, unpermitted, code-violating condition.

Further delay increases both **my risk** and the **City's liability**.

Conclusion

The combined violations—including unpermitted surcharge, unsafe retaining wall conditions, unauthorized excavation, property encroachment, and structural tampering—represent an imminent and preventable hazard. The City of Ridgefield has a legal obligation to enforce the building and safety codes listed herein.

I request immediate corrective action and a written response.







My property / Fence held back by this wall. My backyard is to the left.





Code Enforcement (private)

#17277538

Completed

submitted 3 months ago (August 21st, 2025)

Subject: Complaint Regarding Shed Placement, Property Line Violation, and Unpermitted Retaining Wall Surcharge

Property Address: 3311 S 2nd Way

I am submitting this complaint regarding construction occurring at **3311 S 2nd Way**. The neighbor has built a shed that almost touches my fence, and the roof appears to hang over the property line. I was under the impression that structures such as sheds are required to be **at least 3 feet from the property line**. I am requesting that this be inspected and that the shed be relocated, as it appears to be encroaching on my property.

The neighbor has stated that the City permitted him to build both the retaining wall and the shed; however, based on the conditions, engineering requirements, and required setbacks, I find it difficult to believe this was approved as built.

Comment – Submitted by (3 Months Ago)

The neighbor built a retaining wall and added a surcharge (additional weight on the wall) by placing a shed on top of it. A shed loaded with stored items can weigh thousands of pounds and this load was not accounted for when the neighbor constructed the shed immediately after building the wall.

The parcel (like mine) is marked for **habitat and species restrictions**.

Explanation of Retaining Wall and Surcharge Requirements

Retaining wall:

A wall built to hold back (retain) soil when ground levels differ on each side. Examples include basement walls, landscape walls, or walls at cut slopes.

At any height:

Even a short wall must be engineered if a surcharge exists. Height does not exempt the wall from engineering requirements.

Carries a surcharge:

In structural and geotechnical engineering, a surcharge is **any additional load** applied to the soil behind a retaining wall other than the soil itself.

Common surcharge examples include:

- A driveway, parking area, or roadway near the wall (vehicle loads).
- A building, shed, or structure built close to the top of the wall.
- Stored materials (lumber, pallets, soil stockpiles).
- Sloped backfill increasing earth pressure.

Clark County Requirements

Clark County Residential Permits

(From: <https://clark.wa.gov/community-development/residential-permits>)

Retaining walls:

A permit is required for retaining walls over **four feet in height**, measured from bottom of footing to top of wall, **and/or for walls that support a load** (surcharge).

Engineering by a Washington State registered engineer is required for any retaining wall requiring a permit.

ADS Permit – Additional Dwelling or Structure Permit

Required for:

- Accessory buildings
- Sheds
- Carports
- Decks
- Garages
- Guest houses
- Shops
- Sunrooms
- Pools
- Saunas

Clark County Shed Requirements

Clark County's building handout states:

- Garden sheds **larger than 200 sq. ft.** require a permit.
- **Any size** shed in a **mobile home park or multi-family zone** requires a permit.
- All sheds must meet **setback requirements** for the zoning area.

- Sheds located in **wetland, habitat, or shoreline areas may require additional permits.**

A Permit Technician can clarify requirements for structures in restricted zones.

Why This Matters: Engineering and Safety Risks

If a surcharge is not included in the wall's design, the wall may appear stable initially but can fail dangerously. The main risks include:

1. Structural Failure of the Wall

- Surcharge increases lateral earth pressure dramatically.
- A wall not engineered for this can:
 - Crack (in CMU or poured concrete walls)
 - Bulge outward
 - Lean
 - Collapse entirely

2. Collapse Risk to People and Property

If the wall collapses, soil and debris can fall onto:

- People
- Vehicles
- Buildings

Even **3–4 ft walls** can cause severe injury or fatality if they fail suddenly.

3. Damage to Nearby Structures

A surcharge transfers additional force into the soil, potentially causing:

- Foundation cracking
- Slab or pavement cracking
- Settlement of buildings or patios
- Driveway failures

4. Drainage and Hydrostatic Pressure

Surcharges often accompany additional water loads.
Improper drainage + surcharge can lead to:

- Hydrostatic pressure buildup
- Blowouts
- Sudden structural failure

5. Progressive / Hidden Failures

Problems may not be immediate. Over time, surcharged walls may:

- Slowly tilt
- Crack
- Lose soil
- Become undermined
- Fail during a heavy storm or freeze-thaw cycle

Bottom Line

A retaining wall **must be engineered** if **any surcharge** is present.

A short wall (3 ft / 1 m) can be **dangerous** if a shed, patio, or vehicle load is above it.

This is why the County and State do **not** exempt low walls when surcharges are involved.



Property Fact Sheet for Account 213808012

November 18, 2025

General Information

Property Account	213808012
Site Address	3311 S 2ND WAY, RIDGEFIELD, WA 98642
Legal Desc	CEDAR RIDGE PH 1 LOT 6 SUB 2007
Owner	
Mail Address	3311 S 2ND WAY RIDGEFIELD WA , 98642 US
Tax Status	Regular
Property Status	Active
Area (approx.)	5,000 sq. ft. / 0.11 acres
Section-Township-Range	SW 1/4,S20,T4N,R1E

Assessment (2025 Values for 2026 Taxes)

Land Value	\$157,996.00
Building Value	\$402,504.00
Total Property Value	\$560,500.00
Total Taxable Value	\$560,500.00

Most Recent Sale

Sale Date	03/14/2006
Document Type	DEED
Sale Number	0587370
Sale Amount	\$342,000.00

Administrative

Jurisdiction	Ridgefield
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Land Use Planning

Comprehensive Plan Designation	UL
Comprehensive Plan Overlay(s)	none
Urban Growth Area	Ridgefield
Zoning Designation - Codes	Residential Low Density - 4 (RLD-4)
Zoning Overlay(s)	none

Miscellaneous

Census Tract	403.03
Drainage District	n/a
Neighborhood	Ridgefield Junction
Park District	n/a

Public Safety

Burning Allowed	No
EMS Response Area	AMR
Fire District	Clark-Cowlitz Fire Rescue
Increased Wildfire Danger Area	No
Police Jurisdiction	Ridgefield Police Dept

Schools

School District Name	Ridgefield
Elementary School Attendance Area	Union Ridge
Middle School Attendance Area	View Ridge
High School Attendance Area	Ridgefield

Transportation

C-TRAN Public Transportation Benefit Area	Yes
Traffic Impact Fee (TIF) District	Ridgefield
Transportation Analysis Zone	2097

Utilities

CPU Lighting Utility District	n/a
Last Street Sweeping	n/a
Sewer District	Clark Regional
Waste Collection Provider	Waste Connections
Water District	Ridgefield

**Environmental Public Health**

Public Health Food Inspector District	District 3
Public Health Food Plan Review Area	District A
Public Health WRAP Inspector District	District 2

Wetlands and Soil Types

Critical Aquifer Recharge Area	Category 2 Recharge Areas
FEMA Map / FIRM Panel	53011C0204D 53015C1005G
Flood Hazard Area	Outside Flood Area
Shoreline Designation	none
Soil Types / Class	Non-Hydric / GeD
Water Resource Inventory Area	Name: LEWIS Sub-Basin: East Fork Lewis
Watershed	Gee Creek
Sub Watershed	Gee Creek (Lower)
Wetland Class	
Wetland Inventory	No Mapping Indicators

Geological Hazards

Geological Hazard	Slopes > 15%
Liquefaction	Very Low to Low
NEHRP Class	C
Slope Stability	Severe Erosion Hazard Area

Development Moratorium

none

Cultural Resources

Archaeological Probability	Moderate Moderate-High
Archaeological Site Buffer	No
Historic Site	No Mapping Indicators

Habitat and Species Resources

Habitat and Species Impacts	Yes
Riparian Habitat Area:	Seasonal Stream

Disclaimer: Clark County does not warrant the accuracy, reliability or timeliness of any information in this system, and shall not be held liable for losses caused by using this information. Portions of this information may not be current or accurate. Any person or entity who relies on any information obtained from this system, does so at their own risk. RCW 42.56.070(8) prohibits releasing and/or using lists of individuals gathered from this site for commercial purposes.

PROPERTY INFORMATION CENTER

Environmental Constraints

Property Identification Number: 213808012 [MapsOnline](#) [Fact Sheet](#)

Property Type: Real

Property Status: Active

Site Address: 3311 S 2ND WAY, RIDGEFIELD, WA 98642 ([Sitius Addresses](#))

Abbreviated Description: CEDAR RIDGE PH 1 LOT 6 SUB 2007

Tax Status: Regular

If you have any questions concerning the data on this page, please contact the land use department in your jurisdiction. For properties not within a city limits, contact Clark County Community Development. Main Phone: (564) 397-2375 , Email: commdev@clark.wa.gov

Cultural Resources		Wetlands and Soil Types		Septic Document Details
Archaeological Probability:	Moderate Moderate-High	Critical Aquifer Recharge Area:	Category 2 Recharge Areas	none
Archaeological Site Buffer:	No	FEMA Map / FIRM Panel: Info...	53011C0204D 53015C1005G	
Historic Site:	No Mapping Indicators		FEMA Flood Map Service Center	Water Well Details
Development Moratorium Info...		Flood Hazard Area: Info...	Outside Flood Area	none
none		Shoreline Designation:	none	
		Soil Types / Class:	Non-Hydric / GeD	
		Water Resource Inventory Area:	Name: LEWIS	
			Sub-Basin: East Fork Lewis	
Geological Hazards Info...		Watershed:	Gee Creek	
Geological Hazard:	Slopes > 15%	Sub Watershed:	Gee Creek (Lower)	
Liquefaction:	Very Low to Low	Wetland Class:		
NEHRP Class:	C	Wetland Inventory: Info...	No Mapping Indicators	
Slope Stability:	Severe Erosion Hazard Area			
Habitat and Species Resources Info...				
Habitat and Species Impacts:	Yes			
Riparian Habitat Area:	Seasonal Stream			

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Residential - Fence/Retaining Wall



Building Department

Reference Number REFERENCE-25-0371

Record Number RES-25-0018 Closed

Part of the Project Residential - New Single Family 

Current Fees

\$0.00

Additional fees may be required

▲ Project Information

Location

3311 S 2ND WAY

RIDGEFIELD, WA 98642

Parcel

213808012

Created

3/27/2025

Submitted

3/28/2025

Approved

3/31/2025

Issued

4/1/2025

Closed

6/16/2025

Application Expires 12/9/2025

Give your project a name *

CEDAR RIDGE PH 1 LOT 6

Describe the purpose of the project *

Retaining wall to protect against further erosion of the sloped backyard.

▲ Contacts

Contact

Role

▲ Contractors

 Please enter your Contractors License Number below.

Contractor

License Number

Primary

OWNER BUILDER

Email not on record

N/A

Expires On: 12/31/2028

OWNER BUILDER

Email not on record

N/A

Expires On: 12/31/2028