



DEPARTMENT OF  
BUILDING AND CODE ENFORCEMENT  
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May 3, 2005

Bob Smith  
River Park Square  
On-Site Management Office  
808 West Main Avenue  
Spokane, Washington 99201

Re: April 8, 2006 accident at RPS Parking Garage

Dear Mr. Smith:

In our discussions immediately following the unfortunate accident of April 8, 2006, you related to me, informally, that you anticipated getting an engineering evaluation in the near future. Although I did not specifically request it at the time, I had hoped to see that evaluation in order to perform my job as Spokane's Building Official. I understand that this matter is now in the hands of legal counsel, and that may be why you haven't provided the results of any evaluation you obtained subsequent to this accident. I remain in need of this information to evaluate the public interest and public safety and Code issues that may result from the April 8, 2006, incident at your garage. I anticipate at least some of this information would be provided as a part of the permitting process for repairs necessitated by the accident in any event.

In order to protect the public interest, it is imperative that we verify, from an engineering standpoint, that the relevant portions of the Garage and especially its exterior guardrail areas meet all pertinent Code requirements.

Therefore, pursuant to SMC 17F.070.010, .380, .400, and all other relevant provisions in the Municipal Code, the following is hereby ordered:

1. A hearing will be held on Wednesday, May 17, 2006, at 1:30 p.m., in City Conference Room 5A, Fifth Floor, City Hall, to determine whether all relevant Code requirements are met. While we are willing to work with you on timing, this matter will be delayed only upon receipt of assurances by a professional Engineer that all relevant Code requirements are met.

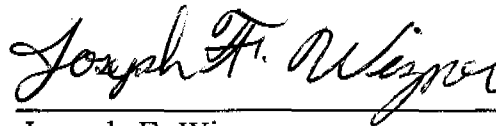
2. Testimony may be presented in person or by declaration at this hearing. There is no specific burden of proof on any party. The determination of Code satisfaction will be made on the basis of the

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preponderance of the evidence presented. Failure to participate in this hearing would lead to the imposition of sanctions, up to and potentially including revocation of the Certificate of Occupancy.

The owner of the garage and or yourself as its agent may appear in person or through legal counsel. Cross examination of witnesses will only be permitted as time permits, and only by City staff or your agents.

Please feel free to contact the undersigned at any time, should you have any questions or comments about the contemplated procedure.

A handwritten signature in cursive script, reading "Joseph F. Wizner". The signature is written in black ink and is positioned above a horizontal line.

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Joseph F. Wizner  
Director of Building Services