Administrative Order to Abate Violation

Planning & Development Services · Code Compliance Unit
1800 Continental Place · Mount Vernon WA 98273
voice 360-416-1320 · www.skagitcounty.net/planning

Case Number CODE2024-0018

Property Owner

Name	*Chris Andersen, Heidi Andersen, and Mark Tilschner*	Mailing Address	5592 Devil's Head Circle
City	Golden, CO	Zip	80403
Phone			

Additional Responsible Persons

☐ No additional persons known

Name	Bo Gardens LLC	Mailing Address	522 W Riverside Ave STE N
City	Spokane, WA	Zip	99201-0581
Phone			

Name	Cortney Ng	Mailing Address	17812 Colony Rd Bldg B
City	Bow, WA	Zip	98232
Phone			

Site of Violation

☐ Same as Owner Mailing Address

Address	17812 Colony Rd	City	Bow, WA	Zip	98232
Parcel No(s)	P48233	Zoning	Rural Reserve (RRv)		

Background

The Administrative Official has issued the following findings of fact relating to code violations on your property:

1. *In December of 2024, Skagit County was notified by the Washington State Liquor and Cannabis Board (LCB), that Ms. Cortney NG had made application to relocate her licensed Cannabis Production facility from Port Townsend to 17812 Colony Rd Bldg B.*
2. *The property is owned by Chris Andersen, Heidi Andersen, and Mark Tilschner, and is zoned Rural Reserve (RRv). Cannabis production is not an allowed use in RRv.*
3. *On December 23rd, 2024, a letter was sent to the Andersen's as well as Ms. Ng, informing them that establishing a cannabis production facility in RRv is not allowed, regardless of LCB's licensing approval.*
4. *In January of 2025, the LCB approved the license application to relocate her production facility to Colony Rd.*
5. *Over the next few months, the County did not notice any obvious signs that the facility had moved in, or was operating.*
6. *In November of 2025, I was informed by Joe Amaro from our Public Works department that a new access (driveway) had been installed at this property without a Public Works Access permit. I looked into this property and located an electrical permit from LNI for the installation of new high amperage electrical service had been issued in May 2025. In June of 2025, the installation was inspected and approved.*
7. *A site visit on 11/6/2025 revealed that the new electrical service was going to a large shop. There was also a new fence on the side of the building. A water tank and mini-split plumbing is visible on the outside of the building. This is consistent with equipment needed to produce marijuana.*
8. *In January of 2026, I checked the status of their LCB license, and found that it had been renewed for 2026. I then mailed a letter to the Andersen's and a copy to Ms. Ng, advising them that the marijuana production needed to cease by March 1st, 2026. I also communicated with the LCB about my enforcement case. Lt. D'Amelio responded that their records do not indicate they are in production yet. However, he was going to send an inspector to confirm if they are in production, as they were required to notify LCB and had not.*
9. *On February 14th, 2026, I was notified by Officer Stevenson of the LCB, that they had performed an inspection of this facility and found they were in full production. They were also informed the licensee, Cortney Ng, had received notification of the County's enforcement action.*

10 *As of March 5th, 2026, we were not notified that production had ceased. An administrative Order to Abate the violation was sent to the Andersen's in Golden Colorado, as well as Cortney Ng at the address listed on her Washington Driver's License (14082 SR 20 Mount Vernon). The Order was sent both Certified and standard USPS mail.*
Both certified letters were returned unclaimed. Standard USPS was not returned. A copy of the Order was posted at 14082 SR20 on 3/31/2026.

11 *On April 15th, 2026, I received an email from Chris Andersen stating they were working to resolve the alleged code issue at their property at 17812 Colony Rd. I replied pointing out that per the Administrative Order, we were on a timeline and asked what steps they are taking to resolve this. There was no reply. April 15th, 2026 was the date listed on the Administrative Order for Compliance. It is also the deadline for filing for an appeal.*

12 *On 5/6/2026, I was informed by Jack Moore, director of the Planning and Development services, that Cortney Ng had made inquiries about the legality of a Cannabis Production facility in RRv. Mr. Moore informed her by email on 5/11/2026 that it was not a permitted use.*

13 *There was no appeal filed for the original AOA and it became a final order. On 7/8/2026, a Notice and Order to Abate was prepared advising them that daily fees/fines would start commencing on 8/7/2026, unless the unpermitted activity ceased. It was sent Certified and Standard Mail to the Andersen's in Colorado, as well as being posted at the property on Colony Rd.*

14 *Copies were mailed Standard USPS to Cortney Ng at the SR20 address, as well as 17812 Colony Rd Bldg B. The Colony Rd letter was returned as 'Not Deliverable as Addressed'. The Andersen's received their certified mail on 7/29/2026.*

15 *On 8/12/2026, Mr. Alan Jongsma contacted me on behalf of the Andersen's to make inquiry on the specific codes regarding this, and to request an extension before daily fees/fines would start. An extension was granted to 9/7/2026.*

16 *On 8/17/2026, Cortney Ng attempted to file an Appeal to the Original Administrative Order to Abate. I emailed both her attorney Mr. Davis, that the appeal period for the Administrative Order had passed.*

17 *Ms. Ng's attorney raised concerns that that notice of the Orders were not properly provided to the property owners and the business. In considering these concerns, it was discovered that neither order named Bo Gardens which is required by SCC 14.09.220(2)(a).* ***Therefore the previous orders are revoked****.*

18 *As of the date of this Order, the use of the facility for a marijuana facility has not ceased.*

Description of Violation(s)

Based on our investigation, the Administrative Official has found you in violation of the following specific provision(s) of Skagit County Code.

Violation 1: Land use not permitted in Zone.
SCC 14.18.262(5) Marijuana Facilities are allowed only where explicitly identified in Title 14 SCC.
SCC 14.10.090(1) Only land uses listed as allowed in a given zone is allowed in that zone
SCC 14.11.200 Rural Reserve (RRv) Zoning. Marijuana facilities are not an allowed use in RRv.
SCC 14.09.120(1) A violation is a failure to comply with a provision of Title 14 SCC.

Corrective Action Ordered

You are hereby ordered to take the following action to abate the above violations:

Marijuana production and/or processing must immediately cease, and the Administrative Official Notified when it has ceased.

Civil Penalties

You are hereby ordered to pay the following civil penalties:

☒ $100 per day, per violation, from 9/7/2026 until the violation is abated and you have notified the Administrative Official. SCC 14.09.330(2)(a), provided that civil penalties are stayed until September 7, 2026, at which time the stay will be lifted if the violation has been abated and you have notified the Administrative Official.

☐ For flood hazard violation, $1,000 per day per violation from date violation occured until the violation is abated and you have notified the Administrative Official. SCC 14.09.330(2)(c)

☐ For critical areas or drainage violations, the amount of _____. SCC 14.09.330(2)(b)

☒ $303.50 recording fee for the Certificate of Non-Compliance.

If you do not take the corrective action described above to abate the violations by the specified deadlines, you will be liable for the following additional civil penalties:

☐ $100 per day, per violation, until the violation is abated and you have notified the Administrative Official. SCC 14.09.330(2)(a)

☐ For flood hazard violation, up to $1,000 per day per violation. SCC 14.09.330(2)(c)

☐ For critical areas or drainage violations, the amount of _____. SCC 14.09.330(2)(b)

Due to a new and separate violation within one year of resolution of prior violation:

☐ All penalties normally imposed are doubled. SCC 14.09.330(2)(d)

Revocation of Previous Orders

The following Order are hereby revoked:

Administrative Order to Abate (March 5, 2026)

Order of Notice to Abate (July 7, 2026)

Disclosures

Voluntary Compliance Agreement. The County and the violator may enter into a binding Voluntary Compliance Agreement to correct the violation by a specified deadline with a reduction or waiver of civil penalties. Contact the Department for more information. SCC 14.09.310.

Reduction in civil penalties. The Director may reduce a civil penalty if the violator cooperates with efforts to correct the violation. SCC 14.09.330(2)(e).

Failure to comply with this order. If you do not fully comply with this order by the deadlines, Skagit County may do the following:

- Issue supplemental orders to pay accrued civil penalties. SCC 14.09.330(3)(b).
- Refer unpaid civil penalties to a collection agency 30 days after service of this order. Per RCW 19.16.500, Skagit County or collection agency may add a reasonable fee, payable by the debtor, to the outstanding debt for the collection agency fee incurred or to be incurred. SCC 14.09.330(3)(c).
- Record a certificate of non-compliance against your property, which may make it difficult to sell your property.
- Refer this matter to the Prosecuting Attorney's office for further enforcement action including criminal charges, an injunction, or the collection of civil penalties.
- If you do not fully correct the violation, Skagit County may do the work itself. Any County costs incurred to abate the violation(s) may be charged as a public nuisance lien, and levy a special assessment against your property. SCC 14.09.340(4) A public nuisance lien may violate the terms of your real estate loan and Deed of Trust or Mortgage. It may cause your lender to start foreclosure proceedings against your property. If you have any questions about that, please contact your lender.

Additional Disclosures.

- You may have to pay additional enforcement fees equal to 100% of the cost of the application fees, and 200% of the cost of critical areas fees, for any permits required by code enforcement actions. Resolution R20110111.
- Skagit County may deny any other permits you apply for on the same site until the violation is corrected and payment of any civil penalties is complete. SCC 14.09.360
- If you commit a new and separate violation within a year after the resolution of a prior violation, you may be subject to double the civil penalties normally imposed for such violation. SCC 14.09.330(2)(d).

Effective date. This order is effective upon service. Service is the date of mailing via certified mail. SCC 14.09.220(2)(e) and (3)(b).

Appeal. This order becomes final unless you file an **'Appeal of Code Compliance Administrative Order'** to the Skagit County Hearing Examiner, with the required fees, within 14 days of service. Appeal applications are available on the Skagit County website through the Civic Access Portal. (www.SkagitCounty.net/portal) Appeals are processed as appeals of Level I decisions under Skagit County Code 14.09.290. Failure to appeal may constitute waiver of all rights to appeal the order.

No verbal agreements. The Administrative Official may only rescind or modify this order in writing.

If you have any questions regarding this order, please contact the undersigned at (360) 416-1343.

Issued By Tom Wenzl Date 8/31/2026

Tom Wenzl, Code Compliance Officer