

TITLE 15

BUILDING CONSTRUCTION AND CODE COMPLIANCE

Chapters:

- 15.04 STATE BUILDING CODE
- 15.06 INTERNATIONAL BUILDING CODE (WAC 51-50)
- 15.08 INTERNATIONAL RESIDENTIAL CODE (WAC 51-51)
- 15.10 INTERNATIONAL MECHANICAL CODE (WAC 51-52)
- 15.12 INTERNATIONAL FIRE CODE (WAC 51-54A)
- 15.14 UNIFORM PLUMBING CODE (WAC 51-56)
- 15.16 WASHINGTON STATE ENERGY CODE (WAC 51-11R & 51-11C)
- 15.18 INTERNATIONAL EXISTING BUILDING CODE (WAC 51-50)
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Chapter 15.04

STATE BUILDING CODE

Sections:

- 15.04.010 Adoption
- 15.04.020 Penalty for violation
- 15.04.030 Severability
- 15.04.040 Conflict

15.04.010 – Adoption

As amended by chapters 51-50, 51-51, 51-52, 51-54A, 51-56, 51-11C and 51-11R of the Washington Administrative Code (WAC) and this Title, those codes as set forth in Revised Code of Washington (RCW) 19.27 and 19.27A are adopted as the minimum regulations of Klickitat County governing buildings and structures, and shall have the same force and effect as if fully set forth herein. Specifically, these codes include:

- A. The International Building Code, published by the International Code Council, Inc.;
- B. The International Residential Code, published by the International Code Council, Inc.;
- C. The International Mechanical Code, published by the International Code Council, Inc.;
- D. The International Fire Code, published by the International Code Council, Inc.;
- E. The Uniform Plumbing Code and Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials;
- F. The most current edition of the Washington State Energy Code, filed as Chapter 51-11C and 51-11R WAC;
- G. The International Existing Building Code, published by the International Code Council; and
- H. The International Swimming Pool and Spa Code, published by the International Code Council.

15.04.020 – Penalty for violation

- A. Any person violating the provisions of this Title is subject to penalty pursuant to Klickitat County Municipal Code, Title 1, Chapter 1.20. The Building Department shall be the primary enforcement officials for this Chapter. The Building Department may request the assistance of the Sheriff’s Department and/or the Planning Department and/or the Health Department, and in such instances they shall have full powers pursuant to Klickitat County Municipal Code (KCC) Chapter 1.20.
- B. Further, violation of this Title is declared unlawful and a public nuisance. Actions against such nuisances may be brought by the owner or owners of land lying within the county or by residents of the county; or the Prosecuting Attorney may commence action(s) or proceedings, to obtain such relief as will abate or remove buildings, structures or uses or will restrain any person from setting up, erecting, building, moving or maintaining any such building or structure, or using any property contrary to the provisions of the county ordinances and resolutions.

15.04.030 – Severability

If any Section, Subsection, sentence, clause or phrase of this Title is for any reason held to be unconstitutional or otherwise invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions.

15.04.040 – Conflict

Whenever any conflict occurs between any Section of this Title and the Codes referred to in this Title, the most restrictive shall prevail. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Chapter 15.06

INTERNATIONAL BUILDING CODE

Sections:

15.06.010 Adoption

15.06.020 General

15.06.030 Amendments

15.06.010 – Adoption

As amended by WAC 51-50, the 2015 edition of the International Building Code, including Appendix E, published by the International Code Council is hereby adopted by reference, with the following additions, deletions and exceptions:

15.06.020 – General

The following shall be in addition to the requirements of the International Building Code:

- A. Lot Lines, Setback Lines and Height of Structure. Notwithstanding the authority of the Building Official to administer and enforce the International Building Code, no duty to verify or establish lot lines, setback lines or height of structure is created by virtue of inspections conducted pursuant to Section 110 of the International Building Code and none shall be implied. The location of lot lines, setback lines and/or height of structure and construction related thereto shall be the responsibility of the applicant/owner. The Building Official may require a survey to verify that appropriate setbacks and height of structure have been met.
- B. Change in Use. In addition to the requirements of Section 111.1 of the International Building Code, a Certificate of Occupancy may be required and a change in use deemed to have occurred when the requirements apply. In order to make a determination as to whether the new use will be impacted by various Codes and Ordinances in effect, “change in use” permits will be required for all occupancy/use changes, and will be subject to the existing permit processes. Inspections made for the express purpose of granting a certificate of occupancy will be made as safety inspections and charged at the rate specified in KCC Title 15, Section 15.48.010.
- C. Demolitions.
 - 1. In addition to the requirements of Section 3303 of the International Building Code, every building or structure or portion or remnants thereof remaining after fire, prior or partial demolition, acts of nature, explosion or other destructive or nondestructive forces which is found to be in noncompliance with the site cleanup requirements as specified KCC Title 15, Section 15.06.020(C)(1) through 15.06.020(C)(3)(j) shall be brought into compliance with these requirements, as applicable, within 60 days of written notice (certified mail) or, those responsible for such buildings or structures shall obtain permits necessary for reconstruction within 60 days of such notice.

2. All buildings under demolition or remnants of buildings as mentioned in KCC Title 15, Section 15.06.020(C)(1) shall have the site posted with no trespassing signs and otherwise protected from unauthorized access by the public.
3. Permits for demolishing structures and buildings shall be conditioned as follows:
 - a) Permits shall be valid for a period not to exceed 60 days from the date of issuance with 60 day extensions allowed for extenuating circumstances as allowed by the Building Official;
 - b) Remove all floors, foundations, footings, basement, and retaining walls to a minimum of 18 inches below grade, or as otherwise required;
 - c) Fill excavations and other cavities with noncombustible, inorganic material smaller than 8 inches and cover with dirt or gravel so that broken concrete is not left exposed;
 - d) Remove all sewage from existing cavities and fill with earth, sand, gravel or other approved material;
 - e) Fill wells with gravel and rocks no larger than 8 inches or install a concrete cap (lined wells only) of sufficient size and weight that it cannot easily be removed;
 - f) Grade site so that surface is smooth and properly sloped for required drainage. Grading shall conform to existing neighboring grades on all sides;
 - g) During demolition, water shall be used to control and reduce dust and its impact on neighboring properties;
 - h) The site shall be left clean and in a safe condition;
 - i) When demolition has been completed, the Building Department shall be contacted, pursuant to Section 110 of the International Building Code, to inspect the site to ascertain compliance with this chapter;
 - j) A bond in the amount sufficient to ensure abatement of potential impacts to public health and safety and long-term environmental impact and to ensure general clean-up of the demolition site shall, at the discretion of the Building Official, be required prior to issuance of the demolition permit.
 - 1) If a bond is to be required, assurance of full and faithful performance shall be for a sum determined by the Building Official as sufficient to cover the cost of the proposed project. If the applicant does not concur with the established aforementioned sum, the applicant, at his/her expense may employ a qualified agent, approved by the Building Official to mediate any alleged discrepancy.
 - 2) Prior to issuance of permit, the applicant shall file with the Building Official, to assure his/her full and faithful performance, one of the following:
 - a) A surety bond executed by a surety company authorized to transact business in the State of Washington in a form approved by the Prosecuting Attorney;
 - b) A personal bond approved by the Prosecuting Attorney, cosigned by at least one additional person, together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of ability to proceed to accordance with the conditions of permit issuance;
 - 3) If the applicant fails to carry out provisions of the permit and Klickitat County has unreimbursed costs or expenses resulting from such failure, Klickitat County shall call on the bond or cash deposit for reimbursement. If the amount of the bond or cash exceeds the cost and expense incurred by Klickitat County, the remainder

shall be released. If the amount of the bond or cash deposit is less than the cost and expense incurred by Klickitat County, the applicant shall be liable to the County for the difference. The Building Official may require readjustment of bond amount if the scope of work changes after work has begun.

- 4) Klickitat County shall have the authority to make site visits at any time throughout the duration of the project.
- 5) Bonding shall remain valid until all required work is complete and the final inspection has been approved.

15.06.030 – Amendments

A. Section 105.2 of the International Building Code is amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area is not greater than 120 square feet (11.15m²).
2. Fences not over 7 feet (2,134 mm) high.
3. Oil derricks.
4. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, or III-A liquids.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2 to 1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over a basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
13. Nonfixed and movable fixtures, cases, racks, counter, and partitions not over 5 feet 9 inches (1,753 mm) in height.
14. Minor construction and alteration activities to Group U occupancies which the total valuation as determined or as documented by the applicant to the satisfaction of the Building Official, does not exceed \$1,500.00 in any 12 month period; PROVIDED, that the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The

permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the State Building Code Council under RCW 19.27.070:

- a. Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.
- b. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter is approval or make it unsafe.
6. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors or 1 horsepower (745W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided; however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

B. Section 1401.2 of the International Existing Building Code is amended to read as follows:

Applicability. Structures existing prior to September 8, 1970, in which there is work involving additions, alterations, or changes of occupancy shall be made to comply to the requirements of this chapter or the provisions of Chapter 5 through 13 of the International Existing Building Code. The provisions in Section 1401.2.1 through 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, I-2, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or I-1, I-3or I-4.

C. The definition for “Fire Separation Distance” referenced in Section 702 and defined in Section 202 of the International Building Code shall be amended to read as follows:

FIRE SEPARATION DISTANCE. The distance measured from the building face to one of the following:

1. The closest interior lot line;
2. To the centerline of a street, an alley or public way;
3. To an imaginary line between two buildings on the lot; or
4. In the case of projects permitted through the Energy Overlay Zone under KCC 19.39, the distance shall be measured from a wind turbine's outermost blade tip in the horizontal position to a project's external property line as defined in KCC 19.39. Meteorological tower Fire Separation Distance shall be measured from the outermost projection of the tower to the project's external property line. For structures such as job shacks, Operation and Maintenance buildings, and similar structures, the Fire Separation Distance shall be measured pursuant to KCC 15.06.03(C) 1-3. (Setbacks do not apply to transmission lines or access roads.)

D. The International Building Code is locally amended by the addition of a new Subsection and shall read as follows:

Subsection 312.1.2: Other than provisions listed in Section 105.1 of the International Building Code, structures defined as Group U Occupancies that meet all requirements listed below may, at the applicant's discretion, be exempt from all provisions of the International Building Code.

1. The structure shall:
 - a. Be owner built;
 - b. Be detached from all other structures except those structures permitted pursuant to KCC Title 15, Section 15.06.030(D), Subsection 312.1.2, provided that all previously permitted structure(s), whether Group U Occupancies or not, do not fall within the exemption:

Exception: Previously permitted Group U Occupancies not requiring structural plan review or inspections.
 - c. Be separated by a minimum of 100 feet from all property lines;

Exception: If the structure is to be used as an agricultural building as defined in Section 202 of the International Building Code and is located in Extensive Agriculture (EA), Forest Resource (FR), Resource Lands (RL), or Open Space (OS) zoning designations as defined by the Klickitat County Zoning Ordinance and is a minimum of 20 acre legal lot of record, the setbacks from the right-of-way of a free and public roadway or street shall be as per the zoning designation and/or International Building Code setback requirement, whichever is greater.
 - d. Be separated by a minimum of 45 feet from all other structures on the same property except those structures permitted pursuant to KCC Title 15, Section 15.06.030(D), Subsection 312.1.2, provided that all previously permitted structures, whether Group U Occupancies or not, do not fall within this exception.
 - e. Comply with all other applicable setback requirements if applicable setback requirements exceed 100 feet.

2. The owner/builder shall sign a statement acknowledging that the individual understands and complies with all requirements of this Section. This statement shall be legally notarized and recorded on the property title at the expense of the owner/applicant. Legal removal of recorded instrument shall also be at the owner/applicant expense.
3. No plan review or inspections shall be performed by the Klickitat County Building Department and, therefore, Klickitat County assumes no liability for the structural integrity, setbacks or other applicable codes, regulations or requirements normally enforced by this jurisdiction.
4. The exemption does not include electrical, plumbing or mechanical activities, and unless otherwise exempted, separate electrical, plumbing, and mechanical permits will be required for the above exempted items. Such other department review and compliance will include, but not be limited to the following:
 - a. Road Department – approved road approach permits in accordance with the requirements as adopted by the Road Department or a certification that the road approach permit(s) is not required.
 - b. Health Department – approved plan and permit for sewage disposal facilities in accordance with the requirements as adopted by the Health Department or other agency or agencies with jurisdiction.
 - c. Planning Department – approval of compliance with the policies and guidelines of the State Environmental Policy Act, Klickitat County Flood Plain Ordinance, Zoning Ordinance, and other applicable regulations administered by the Planning Department.
5. If work is not commenced within 180 days from the date of issuance of the permit, permit shall become invalid. No extensions of application or permit will be issued.

Chapter 15.08

INTERNATIONAL RESIDENTIAL CODE

Sections:

- 15.08.010 Adoption
- 15.08.020 General
- 15.08.030 Amendments

15.08.010 – Adoption

As amended by WAC 51-51, the 2015 edition of the International Residential Code as published by the International Code Council, is hereby adopted by reference with the following additions, deletions and exceptions: Provided that Chapters 11 and 25 through 43 of the Code are not adopted. Appendix F, Radon Control Methods; and Appendix Q, Dwelling Unit Fire Sprinkler System, are included in adoption of the International Residential Code.

15.08.020 – General

The following shall be in addition to the requirements of the International Residential Code:

- A. Lot Lines, Setback Lines and Height of Structure. Notwithstanding the authority of the Building Official to administer and enforce the International Residential Code, no duty to verify or establish lot lines, setback lines or height of structure is created by virtue of inspections conducted pursuant to Section R109 of the International Residential Code and none shall be implied. The location of lot lines, setback lines and/or height of structure and construction related thereto shall be the responsibility of the applicant/owner. The Building Official may require a survey to verify that appropriate setbacks and height of structure have been met.
- B. Change in Use. In addition to the requirements of Section R110.1 of the International Residential Code, a Certificate of Occupancy may be required and a change in use deemed to have occurred when the occupancy or use of a building has changed to the extent that different zoning or other county code requirements apply. In order to make a determination as to whether the new use will be impacted by various codes and ordinances in effect, “change in use” permits will be required for all occupancy/use changes, and will be subject to the existing permit processes. Inspections made for the express purpose of granting a certificate of occupancy will be made as safety inspections and charged at the rate specified in KCC Title 15, Section 15.48.010(G).
- C. Demolitions. Demolitions under this Chapter shall be as per KCC Title 15, Section 15.06.020(C).

15.08.030 – Amendments.

- A. Section R105.2 of the International Residential Code is amended to read as follows:

R105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (22.25m².)
2. Fences not over 7 feet (2,134 mm) high.

3. Retaining walls that are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
5. Sidewalks and driveways.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment.
9. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
10. Decks not exceeding 200 square feet (18.58 m²) in area, that are not more than 30 inches (762 mm) above *grade* at any point, are not attached to a *dwelling* and do not serve the exit door required by Section R311.4 of the International Residential Code.
11. Minor construction and alteration activities to detached one- and two-family dwellings and townhouses not more than 3 stories above grade plane in height with a separate means of egress and their accessory structures which the total valuation as determined or as documented by the applicant to the satisfaction of the Building Official, does not exceed \$1,500.00 in any 12 month period; PROVIDED, that the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities. The permit exemptions shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.031, as amended and maintained by the State Building Code Council under RCW 19.27.070.
 - a. Unless otherwise exempted, separate plumbing, electrical, and mechanical permits will be required for the above exempted items.
 - b. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling units.
4. Steam, hot-or chilled-water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative coolers.

7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe, provided; however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

Chapter 15.10

INTERNATIONAL MECHANICAL CODE

Sections:

15.10.010 Adoption

15.10.010 – Adoption

As amended by WAC51-52, the 2015 edition of the International Mechanical Code is hereby adopted.

Chapter 15.12

INTERNATIONAL FIRE CODE

Sections:

15.12.010 Adoption

15.12.020 Intent

15.12.010 – Adoption

As amended by WAC51-54A, the 2015 edition of the International Fire Code is hereby adopted.

15.12.020 – Intent

Klickitat county shall administer and enforce the International Fire Code in the unincorporated areas of the county; PROVIDED, that any political subdivision or municipal corporation providing fire protection pursuant to RCW 14.08.120 shall, at its sole option, be responsible for administration and enforcement of the International Fire Code on its facility. Any fire protection district or political subdivision may, pursuant to Chapter 39.34 RCW, the interlocal cooperation act, assume all or a portion of administering responsibility and coordinate and cooperate with the county government in the enforcement of the International Fire Code.

Chapter 15.14

UNIFORM PLUMBING CODE

Sections:

15.14.010 Adoption

15.14.010 – Adoption

As amended by WAC 51-56, the 2015 edition of the Uniform Plumbing Code is hereby adopted.

Chapter 15.16

WASHINGTON STATE ENERGY CODE

Sections:

15.16.010 Adoption

15.16.010 – Adoption

As amended by WAC 51-11C and 51-11R, the most current edition of the Washington State Energy Code is hereby adopted.

Chapter 15.18

INTERNATIONAL EXISTING BUILDING CODE

Sections:

15.18.010 Adoption

15.18.010 – Adoption

As amended by WAC 51-50, the 2015 edition of the International Existing Building Code is hereby adopted.

Chapter 15.20

INTERNATIONAL SWIMMING POOL AND SPA CODE

Sections:

15.20.010 Adoption

15.20.010 – Adoption

The 2015 edition of the International Swimming Pool and Spa Code is hereby adopted.

Chapter 15.38

NUISANCE ABATEMENT

Sections:

- 15.38.010 Title
- 15.38.020 Purpose
- 15.38.030 Definitions
- 15.38.040 Nuisance Board of Appeals
- 15.38.050 Violations and Enforcement Authority
- 15.38.060 Abatement of Nuisances and Dangerous Buildings
- 15.38.070 Right of Entry and Warrants
- 15.38.080 Notice and Order of Code Compliance Officer
- 15.38.090 Appeal and Notice and Order
- 15.38.100 Compliance
- 15.38.110 Recording of Certificate of Nuisance
- 15.38.120 Repeat Violations
- 15.38.130 Abatement
- 15.38.140 Abatement Standards
- 15.38.150 Fees
- 15.38.160 Liability

15.38.010 – Title

This Chapter shall be known as the “Nuisance Abatement Ordinance”: and may be so cited and pleaded and shall be referred to herein as “this chapter.”

15.38.020 – Purpose

Klickitat County is committed to protecting its citizens from the dangers of conditions which constitute a public nuisance, and provides for abatement where premises, structures, vehicles, or portions thereof are found to be unfit for human habitation, or unfit for other uses, due to dilapidation, disrepair, structural defects, defects increasing the hazards of fire, accidents or other calamities, inadequate ventilation and uncleanliness, inadequate light or sanitary facilities, inadequate drainage, or due to other conditions which are inimical to the health and welfare of the residents of Klickitat County, or any violation under the Klickitat County Code (KCC) declared or defined as a public nuisance. It is the purpose of this code to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy otherwise available at law. It is not the purpose of this code to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the items of this code.

15.38.030 – Definitions

- A. The words and phrases designated in this Section shall be defined for the purposes of this Title as follows:

1. **Abandoned Property:** A property over which the person in charge no longer asserts control due to death, incarceration, or any other reason, and which is either unsecured or subject to occupation by unauthorized individuals.
2. **Abate:** To repair, replace, remove, destroy or otherwise remedy a condition which constitutes a nuisance under this Chapter or under any Chapter of the County Code by such means, in such manner, and to such an extent as the Code Compliance Officer determines is necessary in the interest of the general health, safety, and welfare of the community.
3. **Junk Vehicle:** Any wrecked, inoperative, abandoned or disassembled commercial coach, park trailer, recreational vehicle, boat, automobile or other vehicle, or any parts thereof which are inoperative, immobile, disassembled, or extensively damaged. Evidence of inoperability and damage includes, but is not limited to, a broken window or windshield, missing wheels, flat tires, a nonfunctional motor, transmission or differential, or has an approximate fair market value equal only to the approximate value of the scrap in it.
4. **Nuisance, Violation, or Nuisance Violation:**
 - a. Doing an act, omitting to perform any act or duty, or permitting or allowing any act or omission, which significantly affects, injures, or endangers the comfort, repose, health or safety of others, is unreasonably offensive to the senses or obstructs or interferes with the free use of property so as to interfere with or disrupt the free use of that property by any lawful owner or occupant.
 - b. The existence of any of the following conditions:
 - 1) Premises containing visible accumulations of trash, junk, litter, discarded lumber, ashes, bottles, boxes, building materials, and firewood which are not properly stored or neatly piled, cans, concrete crates, empty barrels, dead animals or animal waste, glass, tires, mattresses or bedding, numerous pieces of broken or discarded furniture and furnishings, old appliances or equipment or any parts thereof, iron or other scrap metal, packing cases or material, plaster, plastic, rags, wire, yard waste or debris, salvage materials or other similar materials, except that kept in garbage cans or containers maintained for regular collection. Nothing in this Subsection shall prevent the temporary retention of waste in covered receptacles;
 - 2) Dangerous structures including, but not limited to, any dangerous, decaying, unkempt, falling or damaged dwelling, or other structure as defined under the International Building Code;
 - 3) More than 3 junk vehicles, or parts of such vehicles, or more than one junk vehicle or parts of such vehicles in zoning designations RC, R, R-1, R-2, R-3 and SR as defined in KCC, Title 19, in either case which are not completely enclosed within a building or fence in a lawful manner and not visible from a public thoroughfare or other private real property;

- 4) Mobile/manufactured homes, as defined in KCC, Title 16, which remain on private property more than 180 days and not legally placed pursuant to the provisions of KCC, Title 16;
- 5) Recreational vehicle or park trailer, as defined in KCC, Title 16, which is permanently occupied and not legally placed pursuant to the provisions of KCC, Title 16;
- 6) Attractive nuisances, as defined as any nuisance in this Subsection which is detrimental to children, whether in or on a building, on the premises of a building, or upon an unoccupied lot, which is left in any place exposed or accessible to children including, but not limited to, unused or abandoned refrigerators, freezers, or other large appliances or equipment or any parts thereof, abandoned motor vehicles, any structurally unsound or unsafe fence or edifice, any unsecured or abandoned excavation, pit, well, cistern, storage tank or shaft; and any lumber, trash, debris or vegetation which may prove a hazard to minors;
- 7) Obstructions to the public right-of-way including, but not limited to, use of property abutting a public street or sidewalk or use a public street or sidewalk which causes any obstruction to traffic or to open access to the streets or sidewalks. This Subsection shall not apply to events, parades, or the use of the streets or public rights-of-way when authorized by the county. This Section includes the existence of drainage onto or over any sidewalk, street or public right-of-way, and the existence of any debris or plant growth on sidewalks adjacent to any property, and any personal property and/or solid waste that has been placed onto a public right-of-way pursuant to a court-ordered eviction which has not been removed after 24 hours;
- 8) Illegal dumping including, but not limited to, violations of state and local solid waste or litter regulations, and dumping of any type by any person on public or private property not designated as a legal dump site;
- 9) Dumping in waterways including, but not limited to, dumping depositing, placing or leaving of any garbage, ashes, debris, gravel, earth, rock, stone, or other material upon the banks, channels, beds or bars of any navigable water, or the felling of any tree or trees, so that the same shall in whole or in part project within the high water bank of any navigable watercourse, or the casting, placing, depositing or leaving of any logs, roots, snags, stumps or brush upon the banks or in the bed or channel of any navigable watercourse, unless otherwise approved by the appropriate governmental agency;
- 10) Any unwholesome or offensive chemical stored in such a manner as to create a substantial risk of injury to public health;

- 11) Any pit, basin, hole, mine, well, or other excavation which is unguarded and dangerous to life;
 - 12) Any fence or similar structure that is in such disrepair so as to be in danger of collapsing or falling and causing a danger to persons;
 - 13) Any combustible or explosive substance or material stored in such manner as to create a substantial risk of combustion or spread of fire.
- c. Any other nuisance known as common law or in equity jurisprudence or any use, activity or condition that interferes with the safety or comfortable enjoyment of life and property by others.
 - d. Provided however, with all matters related to ground contamination shall be forwarded to the appropriate state or federal agency.

15.38.040 – Nuisance Board of Appeals

In order to hear and decide appeals of orders, decisions or determinations made by the Code Compliance Officer relative to the application and interpretations of this Chapter, there shall be and is hereby created the Klickitat County Nuisance Board of Appeals consisting of 3 members who are qualified by experience and training to pass upon matters pertaining to nuisance and who are not employees of the jurisdiction. The Code Compliance Officer shall be an ex officio member, and shall act as secretary to said Board, but shall have no vote upon any matter before the Board. The members of the Board shall be appointed by the Klickitat County Board of County Commissioners and shall hold office at its pleasure. One Board member shall be appointed from each of the 3 County Commissioner districts within Klickitat County and shall reside in and be a real property owner within the Commissioner district which he or she is to represent. The Board shall adopt rules of procedure for conducting its business and shall render all decisions and finding in writing to the appellant, with a duplicate copy to the Code Compliance Officer as applicable. Appeals to the Board shall be processed in accordance with the provisions contained in the Code Compliance Department's written policy. Copies of all rules and regulations adopted by the Board shall be delivered to the Code Compliance Officer, who shall make them freely accessible to the public. The Board shall have no authority relative to interpretations of the administrative provisions of this Chapter nor shall the Board be empowered to waive requirements of this Chapter.

15.38.050 – Violations and Enforcement Authority

It shall be unlawful for any person, firm, corporation or other organization whether as owner, lessee, sub-lessee, or occupant to erect, construct, enlarge, alter, repair, move, improve, convert, demolish, equip, use, occupy or maintain any building, structure, premises, land or portion thereof contrary to or in violation of any of the provisions of this Chapter or its amendments. The Code Compliance Officer, with the assistance of the Sheriff's Office and Prosecutor's Office, is hereby authorized to enforce the provisions of this Chapter.

15.38.060 – Abatement of Nuisances and Dangerous Buildings

All portions thereof which are determined after inspection by the Code Compliance Officer to be a nuisance as defined in this Chapter shall be abated. The abatement procedure shall be as specified in 15.38.130 of this Chapter.

15.38.070 – Right of Entry and Warrants

- A. Any entry made to private property for the purpose of inspection for code violations shall be accomplished in strict conformity with Constitutional and statutory constraints on entry. The Code Compliance Officer is authorized to enter upon any property for the purpose of administering this Title provided the Code Compliance Officer shall make entry only if such entry is consistent with the Constitutions and laws of the United States and the State of Washington.
- B. The Code Compliance Officer is authorized to enter upon property or premises to determine whether Klickitat County Codes are being obeyed, and to make any examinations, surveys, and studies as may be necessary in the performance of his or her duties. These may include but are not limited to the taking of photographs, digital images, videotapes, video images, audio recordings, samples, or other physical evidence. All inspections, entries, examinations, studies, and surveys shall be done in a responsible manner. If the property is occupied, the Code Compliance Officer shall ask permission of the occupants before entering the property. If an owner, occupant, or agent refuses permission to enter or inspect, the Code Compliance Officer may seek an administrative or criminal search warrant through the Prosecuting Attorney.
- C. The Prosecuting Attorney may request that a District Court or Superior Court of competent jurisdiction issue an administrative or criminal search warrant. The request shall be supported by an affidavit of a person having knowledge of the facts sworn to before the judge and establishing the grounds for issuing the warrant.
 1. If the judge finds that the affidavit given upon proper oath or affirmation shows probable cause to believe a Klickitat County Code has been violated, the judge may issue a warrant for the purpose of conducting inspections or gathering evidence. The warrant shall:
 - a. State the grounds for its issuance and the name of each person whose affidavit has been taken in support of the warrant;
 - b. Be directed to the Code Compliance Officer (or his designee) or a person authorized by the relevant code to execute it;
 - c. Command the person to whom it is directed to inspect the area, premises, or building identified for the purpose specified and the evidence that may be gathered;
 - d. Direct that it be served during normal business hours.

2. When executed, a copy of the warrant shall be left on the property or the premises searched.
 3. A warrant issued under this Section shall be executed and returned, accompanied by a written inventory of any evidence taken, within 10 calendar days of its date unless, upon a showing of a need for additional time, the court orders otherwise.
 4. If evidence is seized pursuant to a warrant, a copy of the written inventory of any evidence taken shall be provided to the person from whom or from whose premises the evidence was taken, together with a receipt for the evidence taken.
 5. The judge who has issued a warrant shall attach thereto a copy of the return (the endorsement made by the person executing the warrant, stating what he/she has done under it, the time and mode of service, etc.) and all papers returnable in connection therewith and file them with the Clerk of the Court in which the inspection was made.
- D. Any search warrant obtained under this Title shall be governed by appropriate Washington State statutes and court rules.

15.38.080 – Notice and Order of Code Compliance Officer

- A. Cause. The Code Compliance Officer shall proceed to investigate the complaint once he/she has received at least 2 or more signed, written complaints in a 12 month period from neighboring individual property owners of separate parcels located in Klickitat County within a 5 mile radius of the nuisance property, a formal written complaint is made by a County Commissioner. Klickitat County will not process verbal complaints, nor complaints that are not written and signed. The complaint shall state with specificity the nuisances the complainant believes exist. If 2 or more signed, written complaints are not received within a 12 month period, no investigation shall be made, and the case shall be closed. A letter notifying the complainant that the matter has been closed shall be mailed to the address the complainant provided.
- B. Commencement of Proceedings. Whenever the Code Compliance Officer has inspected or caused to be inspected any property or building and has found and determined that such property or building is a nuisance, the Code Compliance Officer shall request, by resolution of the Board of County Commissioners, authorization to commence proceedings to cause the abatement of such nuisance.
- C. Notice and Order. Upon receiving authorization to abate, the Code Compliance Officer shall issue a notice and order directed to the owner of record of the property. The notice and order shall contain:
 1. The street address and legal description sufficient for identification of the premises upon which the nuisance is located.
 2. A concise description of the nuisance activities that have occurred on the property and whether the property is abandoned.

3. A statement of action required to be taken as determined by the Code Compliance Officer.
4. A statement of the requirements that the nuisance be abated within a certain time, as determined by the Code Compliance Officer.
5. A statement advising that if any required abatement of a nuisance is not voluntarily completed within the time specified, the Code Compliance Officer may proceed to cause the work to be done and charge the cost thereof against the property and/or its owner, resulting in a lien against the property.
6. A notice that in addition to fees and costs, violations are subject to criminal charges.
7. A statement advising (1) that any person having any record, title or legal interest in the property on which the nuisance exists may appeal from the notice and order or any action of the Code Compliance Officer to the Nuisance Board of Appeals, provided that the appeal is made in writing as provided in the Chapter and filed with the Code Compliance Officer within 15 calendar days from the date of service of such notice and order; and (2) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.

D. Service and Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the owner of record and posted on the property; or delivered by both certified mail and first class mail to the person in charge of the property with a copy mailed to the owner at the address indicated by the Klickitat County auditor, if different than the person in charge of the property. Service by mail shall be deemed effective upon the third business day following the day of mailing.

E. Proof of Service. The person effecting the service shall make proof of service by a written declaration stating the date and time of service and the manner by which service was made.

15.38.090 – Appeal of Notice and Order

Any person aggrieved by the decision of the Code Compliance Officer may request a review of that decision by the Nuisance Board of Appeals. Such request shall be made in writing and filed with the Code Compliance Officer within 15 days from the date of the decision. Failure to appeal in accordance with this provision shall constitute a waiver of the rights to an administrative hearing. The appeal shall identify with specificity the issues raised for review. The hearing shall be before the Board. The Board shall establish a date to hear the appeal which shall be at the next meeting that is more than 10 days after the filing of the appeal unless the Nuisance Board of Appeals sets a different schedule. Such date shall not be less than 10 days nor more than 60 days from the date the appeal was filed. Written notice and the time and place of the hearing shall be given at least 10 days prior to the date of the hearing. At the hearing, the Board shall consider relevant evidence and legal argument before making a decision. The Board following a public

hearing thereon may affirm, reverse, or modify the decision of the Code Compliance Officer. The decision shall be final, with further appeal to Superior Court.

15.38.100 – Compliance

After any order pursuant to this code shall have become final, no person to whom any such order is directed shall fail to neglect or refuse to obey any such order. Any such person who fails to comply with any such order may be guilty of a misdemeanor, and subject to the penalties as set forth in RCW 9A.20.021(3) and subject to the abatement procedures set forth in this Chapter, resulting in fees and costs, and a lien on the property.

15.38.110 – Recording of Certificate of Nuisance

If the nuisance or dangerous building is not abated pursuant to the order within the time specified therein and no appeal has been properly and timely filed, the Code Compliance Officer shall file in the office of the County Auditor a certificate describing the property and certifying (1) that the property is a nuisance or that the building is a dangerous building and (2) that the owner has been so notified. If abatement is subsequently completed and the nuisance removed, or in the case of a dangerous building, whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a dangerous building, the Code Compliance Officer shall file a Certificate of Nuisance Abated with the County Auditor, certifying that the nuisance has been abated or that the building has been demolished or all the required corrections have been made so that the building is no longer dangerous.

15.38.120 – Repeat Violation

Any nuisance violation as defined in this chapter, that, after an abatement has been performed, and the property has been brought into compliance, has any other infractions requiring the action of the county, whether in whole or in part, shall be considered as a repeat violation. Each and every repeat violation as defined in this Chapter may constitute a misdemeanor. Each misdemeanor shall be forwarded to the Prosecuting Attorney's Office for further action. Each misdemeanor shall be subject to minimum fines as established herein this Chapter. Repeat offenders will also be subject to "short form abatement" procedures. When an order to correct a violation has been previously issued for the same property to the same individual, the authorized official is not required to issue an order to correct violation and may immediately issue a Notice of Infraction, a Notice of Violation and Abatement, or possible criminal charges by the Prosecuting Attorney's Office. Citations issued shall be double the rates for the first violation. No extensions of time to correct the violation shall be granted for repeat violations.

15.38.130 – Abatement

- A. Failure to Commence Work. Whenever the required removal, repair or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective the Code Compliance Officer may, in addition to any other remedy herein provided, cause the abatement to the extent necessary to correct the conditions which render the property a nuisance or a dangerous building as set forth in the notice and order, or, if the notice and order required demolition, to cause

the building to be sold and demolished or demolished and the materials, rubble and debris therefrom removed; or to cause the nuisance to be removed to render the property in compliance with this code. The abatement shall be ordered by resolution of the Board of County Commissioners, providing authorization to commence proceedings to cause the abatement of such nuisance.

- B. Extension of Time to Perform Work. Upon receipt of a written application from any person required to conform to the order and by agreement of such person to comply with the order if allowed additional time, the Code Compliance Officer may, at his/her discretion, grant an extension of time not to exceed an additional 30 days, within which to complete said removal, repair or demolition of the nuisance if the Code Compliance Officer determines that such an extension of time will not create or perpetuate a situation imminently dangerous to life and property. The authority of the Code Compliance Officer to extend time is limited to the physical removal or demolition of the nuisance and will not in any way affect the time to appeal his/her notice and order. After 2 extension, a fee of \$100.00 shall be charged for each additional extension, and shall be made prior to any further extensions being granted. After a total of 3 extensions (totaling 90 days), no further extensions shall be granted without the approval of the Board of County Commissioners, who will be apprised of any progress that has or has not been made, and at that time, it shall be determined if further extensions shall be granted, or if there shall be a move to abate. Every 90 days, if necessary, it shall be revisited with the Board of County Commissioners until the violation has been brought into full compliance.
- C. Billing of Costs. The county is hereby authorized to bill the cost of such cleaning, disposal and administrative costs against the owner of the property, pursuant to KCC, Title 15, Section 15.38.150. If unpaid, such cost shall become a lien in favor of Klickitat County and enforceable as other liens against the real property where such nuisance occurred.

15.38.140 – Abatement Standards

The following standards shall be followed by the Code Compliance Officer and the Nuisance Board of Appeals if an appeal is filed, in ordering the abatement of any public nuisance:

- A. The nuisance or dangerous building shall be abated to render the property in compliance with this Chapter.
- B. The Code Compliance Officer, through the Prosecuting Attorney, may apply for a warrant allowing entry into and upon premises to do any act provided for in this Chapter. Said application shall be made pursuant to the procedures specified in KCC, Title 15, Section 15.38.070(3).
- C. Upon finding that (1) the condition complained of constitutes a violation of this Chapter and (2) the owner(s) or other person(s) having an interest in the property have been provided with notice of proceedings undertaken pursuant to the Chapter and have had an opportunity to be heard in regard to those proceedings the Judge may cause a warrant to be issued allowing the Code Compliance Officer and/or designee, to enter into and upon the described premises in order to take such action as may be reasonably necessary in order to abate the nuisance or dangerous building. Said warrant shall authorize entry only during daylight hours unless otherwise approved by the court, and shall further

authorize the Code Compliance Officer and/or designee to leave and return from day to day until such time as necessary to abate the condition is completed. Said warrant shall be executed within the time frame allowed in the warrant.

15.38.150 – Fees

- A. Fees and Charges Assessed. Charges for violation of this Chapter may, but are not to be limited to the actual cost of physical removal or abatement, the administrative fees, costs associated with site security and costs for county personnel or others to enforce KCC, Title 15, Section 15.38.130(3). The administrative fee shall be equal to 10% of the actual cost of physical removal or abatement of the nuisance or dangerous building to render the property in compliance whether contractual or performed by county personnel. The actual cost can include, but is not limited to, the physical removal or abatement for which the costs of certified mail, postage, serving and posting fees, title and reporting fees, cost of record of appeals hearings, subpoena, penalties assessed under KCC, Title 15, Section 15.38.110, inspection of premises by Appeals Board, costs associated with site security, civil filing fees, charge and costs associated for county personnel to enforce compliance. The court may order restitution be paid to a damaged party by the person found to have committed the infraction, such as, but not limited to, a tenant and property owner. Any person who, through an act of commission or omission procures, aids or abets in the violation(s) shall be considered to have committed a violation for the purposes of the civil penalty.
- B. Accounting. The Code Compliance Officer shall keep an itemized account of the expense incurred by this jurisdiction in the proceedings for removal, repair or abatement of any property done pursuant to the provisions of this code. Upon completion of the work or removal, repair or abatement, said Code Compliance Officer shall prepare and file with the clerk of the Board of County Commissioners a report specifying the work done, the itemized and total charge for the work, a description of the real property upon which the nuisance or dangerous building is or was located and the names and addresses of the persons entitled to notice pursuant to KCC, Title 15, Section 15.38.080. After review the Board of County Commissioners may thereupon order that said charge shall be made a personal obligation of the property owner or assess said charge against the parcel(s). If a charge is made a personal obligation, which shall be collected by the Code Compliance Department. If the charges are not paid within 90 days, a copy of the order shall be provided to the Prosecuting Attorney who may collect the amounts on behalf of the county using all appropriate legal remedies.
- C. Liability. The costs of correcting a nuisance under this Chapter, or under any Chapter of the County Code, shall be billed to the person responsible for the nuisance and/or the owner, lessor, tenant, or any other person entitled to control the subject property. All costs or correction assessed by the county create a joint and several personal obligation in all persons subject to a warrant of abatement or of a contempt order for violation of a permanent injunction against such nuisance.
- D. Payment Due. Costs of corrections shall become due and payable to the County Treasurer within 15 calendar days of the date of mailing the billing for abatement. All such costs and expenses ordered shall constitute a lien against the affected property, as set forth in KCC, Title 15, Section

15.38.150(F), after 15 calendar days, absent a payment agreement entered into with the Department. Costs shall incur interest at the rate of 12% per annum, subject to adjustment based on RCW 19.52, on the costs of abatement incurred by the county.

- E. Interference. Any person who knowingly hinders, delays or obstructs any county employee acting on direction of the Director and in furtherance of a court order in the discharge of the county employee's official powers or duties in abating a nuisance or correction a violation of a permanent injunction under this Chapter or under any Chapter of the county code, shall be guilty of a misdemeanor punishable by imprisonment not exceeding 90 days and/or a fine not exceeding \$1,000.00. In addition, any such person knowingly hinders, delays or obstructs any county employee in furtherance of said duties shall be liable for incidental expenses to the county arising from such, including but not limited to personnel costs, both direct and indirect and including attorney's fees, costs incurred in documenting the violation, all actual expenses and costs of the county in remediation of such hindrance, and delay or obstruction associated with the abatement or injunctive action. All such costs and expenses shall constitute a lien against the real property of said person, as set forth in KCC, Title 15, Section 15.38.150(F).
- F. Lien – Authorized. Once ordered by the Board of County Commissioners, the county shall have a lien for any monetary penalty imposed, the cost of any abatement proceedings under this Chapter or under any Chapter of the County Code, and all other related costs against the real property on which the monetary penalty was imposed or any of the work of abatement was performed. The lien shall run with the land, but shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for state and county taxes, with which is shall be on a parity.
1. The Director shall cause a claim for lien to be filed for record within 90 days from the later of the date that the monetary penalty is due, the work is completed, or the nuisance abated or corrected.
 2. The claim of lien shall contain sufficient information regarding the notice of abatement, as determined by the Director, a description of the property to be charged with the lien and the owner of record, and the total amount of the lien.
 3. Any such claim of lien shall be verified by the Director, and may be amended to reflect changed conditions.

15.38.160 – Liability

The employee(s) charged with the enforcement of this Chapter acting in good faith and without malice in the discharge of the duties required by this Chapter or other pertinent law or ordinance shall not thereby be rendered personally or officially liable for damages that may accrue to persons or property as a result of an act or by reason of an act or omission in the discharge of such duties. A suit brought against the employee(s) because of such act or omission performed by employee(s) in the enforcement of any provision of this Chapter or other pertinent laws or ordinances implemented through the enforcement of this Chapter or

enforced by the code enforcement agency shall be defended by this jurisdiction until a final termination of such proceedings, and any judgement and/or legal fees resulting therefrom shall be assumed by this jurisdiction, whether or not the employee(s) is sued in their individual capacity or their official capacity.

Chapter 15.48

FEES

(NOT ASSOCIATED WITH NUISANCE ABATEMENT)

Sections:

| | |
|-----------|------------------------------------------------------------|
| 15.48.010 | Building, Demolition, and Change in Use Fees |
| 15.48.020 | Square Footage Calculation Rates |
| 15.48.030 | Mechanical Permit Fees |
| 15.48.040 | Plumbing Permit Fees |
| 15.48.050 | Fire Alarms, Sprinklers, Extinguishing Systems and Related |
| 15.48.060 | Fees Not Listed Elsewhere |
| 15.48.070 | Fee Schedules Amendments |

15.48.010 – Building, Demolition, and Change In Use Fees

- A. Fees for Building Permits issued pursuant to KCC Title 15, Chapters 15.06 and 15.08, shall be based on valuation and charged as per Table 15-A and 15-B of the current fee schedule. The total valuation shall be determined by using Table 15-B of the current fee schedule.

Exception: Agricultural buildings as defined in Chapter 2 of the International Building Code Fees as noted in KCC Title 15, Section 15.48.010 and the current fee schedule, shall be modified by a factor of 0.70 (70%).

- B. A plan review fee shall be paid at the time the permit application is submitted. Said plan review fee shall be 65% of the building permit fee as established by KCC Title 15, Section 15.48.010(A) and the current fee schedule. The plan review fee shall be based on a modified permit fee, if applicable. When submitted documents require additional plan review or revisions, an additional plan review fee may be charged at the rate shown in Table 15-A of the current fee schedule. The plan review fees specified in this Section are separate from the permit fee, and are in addition to other specified fees.
- C. Other inspections and fees shall be as per Table 15-A of the current fee schedule.
- D. Fees for Fire Sprinkler Systems and Fire Alarm Systems shall be charged as per KCC Title 15, Chapter 15.48, Section 15.48.050 and Table 15-F of the current fee schedule.

- E. The Building Official may authorize refunding of any fee which is erroneously paid or collected. The Building Official may authorize refunding of not more than 80 % of the permit fee paid when no work has been done under a permit issued. The Building Official may authorize refunding of not more than 80% of the plan review fee when an application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review is done. The Building Official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment.
- F. Demolition. The fee for a demolition permit issued pursuant to Section 105 of the International Building Code or KCC Title 15, Section 15.06.020(C) and Section 15.08.020(C), shall be per Table 15-G of the current fee schedule.
- G. Change In Use. The fee for each Change in Use issued pursuant to KCC Title 15, shall be per Table 15-G of the current fee schedule for a Change in Use that does not result in a change in occupancy. A Change in Use that results in a change in occupancy shall incur fees based upon the square footage valuation and fees as listed in Table 15-B and calculated as shown in Table 15-A of the current fee schedule. Fees calculated will be based upon the difference of the group the occupancy falls within as compared to the previous occupancy group, but shall in no case result in a refund if the new occupancy falls within a lesser valuation group.
- H. Fees for all permits issued pursuant to KCC Title 15, Chapter 15.06.030(D), Subsection 312.1.2 of the International Building Code shall be charged at 2 hours of Administration/Clerical Fee rate plus Washington State Building Code fee and actual current recording fees, as set by RCW 36.18.010, to record the required Statement of Acknowledgment.
- I. Fees for permit extensions, in excess of 2 extensions, shall be charged as per Table 15-A, “Other Inspections and Fees” of the current fee schedule.

15.48.020 – Square Footage Calculation Rates

A square footage calculation rate shall be based upon the Group, Type of Construction, and square footage as listed in Table 15-B of the current fee schedule.

Square Foot Calculation Rates listed in Table 15-B of the current fee schedule shall increase by 2% annually, effective October 1 of each year.

15.48.030 – Mechanical Permit Fees

Fees for mechanical permits shall be as listed in Table 15-C of the current fee schedule.

Mechanical Permit Fees listed in Table 15-C of the current fee schedule shall increase by 2% annually, effective October 1 of each year.

15.48.040 – Plumbing Permit Fees

Fees for plumbing permits shall be as listed in Table 15-D of the current fee schedule.

Plumbing Permit Fees listed in Table 15-D of the current fee schedule shall increase by 2% annually, effective October 1 of each year.

15.48.050 – Fire Alarm, Sprinklers, Extinguishing Systems and Related

- A. Fees for Fire Sprinkler Systems and Fire Alarm Systems shall be charged as per Table 15-F of the current fee schedule.
- B. The fee for each stand for the retail sale of fireworks shall be charged as per Table 15-F of the current fee schedule.
- C. The fee for the installation of a flammable/combustible liquid storage tank shall be charged as per Table 15-F of the current fee schedule for each tank installed.

Exception: Liquefied Propane Gas tanks up to and including 125 gallons.

- D. The fee for the removal of a flammable/combustible liquid storage tank shall be charged as per Table 15-F of the current fee schedule for each tank removed.
- E. Fees for other permits required by Section 105 of the International Fire Code shall be established on a cost-to-jurisdiction basis.

Fees listed in KCC Title 15, Chapter 15.48, Section 15.48.050, including Table 15-F of the current fee schedule shall increase by \$5.00 every 3 years at intervals to coincide with Building Code cycle changes as per the State of Washington's scheduling.

15.48.060 – Fees Not Listed Elsewhere

- A. The fee for remodeling, when no additional square footage is being added, shall be based upon the valuation of the project, and calculated per KCC Title 15, Section 15.48.010, and Table 15-A of the current fee schedule.
- B. The fee for upgrade to existing towers or turbines shall be based upon the valuation of the project, and calculated per KCC Title 15, Section 15.48.010, and Table 15-A of the current fee schedule.
- C. The fee for temporary placement of a storage container in conjunction with a residential building permit shall be 1 hour of Administrative/Clerical Fee rate as per Table 15-A of the current fee schedule.

15.48.070 – Fee Schedules Amendments

- A. The Board of County Commissioners shall amend the fee schedules as deemed appropriate by resolution.