

ORDINANCE NO. \_\_\_\_\_

AMENDING PORTIONS OF KITSAP COUNTY CODE CHAPTER 14.04, TECHNICAL BUILDING CODES

**WHEREAS**, RCW 19.27 requires Kitsap County to administer and enforce the State Building Code in the unincorporated areas within its boundaries; and

**WHEREAS**, state law allows local jurisdictions to adopt certain modifications and/or amendments to the State Building Code as it applies to that jurisdiction and as Kitsap County finds are allowable and desirable; and

**WHEREAS**, the International Residential Code Section R108.2 and International Building Code Section 109.2 requires each jurisdiction to establish a fee schedule for permits; and

**WHEREAS**, Kitsap County finds that it is necessary to amend the County Building Code to ensure consistency with Department of Community Development Fee Policies, Fee Schedule, department operations and to provide benefit to the community; and

**WHEREAS**, Kitsap County permit fees and fee policies are established by resolution, thus nullifying the need to have the same language codified;

NOW THEREFORE, BE IT ORDAINED BY THE KITSAP COUNTY BOARD OF COUNTY COMMISSIONERS:

**Section 1.** Kitsap County Code Section 14.04.120, "Kitsap County Permit Fees", last amended by Ordinance 440-2009 is amended as follows:

**14.04.120 Kitsap County Permit Fees.**

A. Kitsap County building permit fees and fee policies (including refund policies) shall be established by, and may be modified by, resolution. The resolution(s) shall include all building permit fee policies and fee schedules for the department of community development. The public participation process for adopting fee policies and the building permit fee schedule, by resolution, shall include a public hearing before the Kitsap board of county commissioners for any proposed change. Fees or fee policies established or modified by resolution shall occur during the scheduled Kitsap County annual and/or quarterly supplemental budget process. The resolution shall be available for public inspection in the department of community development.

~~One and two family dwellings and their accessory structures built in accordance with the IRC shall have a minimum valuation as determined from Table 1 of the most current Building Valuation Data table compiled by the International Code Council (ICC) and published in "Building Safety Journal" magazine. All other projects shall have a~~

~~minimum valuation as determined from Table 1 of the most current Building Valuation Data table compiled by the International Code Council and published in "Building Safety Journal" magazine. Copies of the valuation criteria are available, upon request, at the department of community development.~~

~~B. Valuation based fees shall be as set forth below:~~

~~1. Permit Fee. All projects requiring a permit in accordance with any of the codes adopted in Section [14.04.040](#), other than those specifically described in subsection (C) of this section, shall have a permit fee based on the project's valuation as established by resolution.~~

~~2. Plan Review Fee. When submittal documents are required in accordance with IBC Section 106 or IRC Section R106, a plan review fee shall be paid at the time of submitting the documents for plan review. The plan review fee is separate from, and in addition to, the permit fee as set forth above.~~

~~C. Miscellaneous fees shall be as set forth below:~~

~~Use of outside consultants (for plan checking and inspections, or both) shall have a fee equal to the actual costs.~~

~~Additional Review: Additional plan review required by changes, revisions, or addition to plans shall have a fee equal to hourly rate per hour or the total cost of the permit, whichever is less.~~

~~Reactivation Fee (<1yr.): To reactivate a permit after permit expiration, if within 1 year of expiration, the permit fee shall be as established by resolution provided no changes have been made, or will be made in the original plans and specifications for such work.~~

~~Reactivation Fee (>1yr.): To reactivate a permit any time after the permit has been expired for more than one year, a full permit fee shall be paid in the amount required for a new permit.~~

~~Reactivation Fee, Final Only: To reactivate a permit after permit expiration, to perform a final inspection only for a permit that previously had all required inspections approved other than the final inspection, a fee shall be paid as established by resolution.~~

~~Reinspection Fee: Whenever an inspection is requested but the project is not yet ready for inspection, or if access to the site is prevented, or if temporary silt and erosion control measures are not in place, a fee shall be paid of an hourly rate beginning with the third inspection for the same issue.~~

~~Investigation Fee: Whenever any work for which a permit is required by this code has commenced without first obtaining such permit, an investigation fee shall be paid in an amount equal to the permit fee for such project, in addition to the required plan review and permit fees.~~

**Section 2.** Kitsap County Code Section 14.04.268, "Permit expiration", last amended by Ordinance 323-2004 is amended as follows:

**14.04.268 Permit Expiration**

IBC Section 105.5 is amended as follows:

**105.5 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within ~~480~~ 365 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection within ~~480~~ 365 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration and shall demonstrate good cause.

**Section 3.** Kitsap County Code Section 14.04.518, "Permit expiration", last amended by Ordinance 552-2018 is amended as follows:

**14.04.518 Permit Expiration**

IRC Section R105.5 is amended as follows:

**R105.5 Expiration.** Every permit issued shall become invalid unless the work authorized by such permit is commenced within ~~480~~ 365 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection approval within ~~480~~ 365 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration and shall demonstrate good cause.

**Section 4.** Severability. If any section, sentence, clause, or phrase of this ordinance should be held invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance.

**Section 5.** Clerical/Typographical Error. Should this ordinance, upon being enacted

by the Kitsap County Board of Commissioners during its deliberations on April 26, 2021, inadvertently leave out or add in error upon publication, the explicit action of the Board as discussed and passed shall prevail upon subsequent review and verification by the Board.

**Section 6** Effective Date. This Ordinance shall be effective upon adoption by the Board of County Commissioners.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2021

**BOARD OF COUNTY COMMISSIONERS**  
KITSAP COUNTY, WASHINGTON

ATTEST:

\_\_\_\_\_  
**ROBERT GELDER**, Chair

\_\_\_\_\_  
**EDWARD E. WOLFE**, Commissioner

\_\_\_\_\_  
Dana Daniels, Clerk of the Board

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**CHARLOTTE GARRIDO**, Commissioner

Approved as to Form:

\_\_\_\_\_  
Deputy Prosecuting Attorney