

10/10/79

Introduced by: Patricia Thorpe

Proposed No.: 79-1255

4569

ORDINANCE NO. _____

1 AN ORDINANCE relating to the enforcement of
2 violations of land use and public health
3 ordinances; establishing new civil penalty
4 rates, repealing Ordinance 2909, Section 106,
5 and KCC 23.08.090 and adding new sections to
6 KCC 23.08.

7 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

8 SECTION 1. Ordinance 2909, Section 106 and KCC 23.08.090
9 are each hereby repealed.

10 SECTION 2. A new section is added to KCC 23.08 to read as
11 follows:

12 CIVIL PENALTIES - PROCEDURES (a) Any person or organization
13 who violates any land use or public health ordinance, or rules
14 and regulations adopted thereunder, or the conditions of any
15 permit issued pursuant to such ordinance, rule or regulation, or
16 who by any act of commission or omission procures, aids or abets
17 such violation shall be subject to civil penalties as provided
18 in this chapter.

19 (b) Civil penalties may be directly assessed by the appro-
20 priate director by means of a notice and order issued pursuant
21 to KCC 23.12 or may be recovered by legal action filed in King
22 County Superior Court by the Prosecuting Attorney on behalf
23 of King County.

24 (c) Civil penalties assessed by means of a notice and order
25 shall be collected in accordance with the lien, personal obli-
26 gation, and other procedures specified in this title. Civil
27 penalties assessed in a legal action in Superior Court shall be
28 collected in the same manner as judgments in civil actions.

29 SECTION 3. A new section is added to KCC 23.08 to read
30 as follows:

31 CIVIL PENALTIES - GENERAL REQUIREMENTS (a) Any person
32 engaged in the development, management, sale, rental or use of
33 property solely for the purpose of residential occupancy by said
person or his or her immediate family shall be deemed to be

1 engaged in noncommercial ventures for purposes of this chapter.
 2 All other persons shall be deemed to be engaged in commercial
 3 ventures for purposes of this chapter.

4 (b) Each and every day or portion thereof during which any
 5 violation is committed, continued, permitted or not corrected
 6 shall be deemed a violation for purposes of this title. Civil
 7 penalties for failure to obtain any required permit shall begin
 8 to accrue on the first day activity subject to the permit
 9 requirement is commenced and shall cease to accrue on the day
 10 the permit is obtained. Civil penalties for violation of any
 11 stop work order shall begin to accrue on the first day the
 12 stop work order is posted and shall cease on the day the work
 13 is actually stopped.

14 SECTION 4. A new section is added to KCC 23.08 to read
 15 as follows:

16 CIVIL PENALTIES - SCHEDULES (a) Civil penalties for
 17 violations of persons engaged in commercial ventures shall be
 18 assessed pursuant to the following schedule:

19 Violation of KCC ch. 8.12 - \$1000 per violation
 20 Violation of KCC ch. 8.60 - \$ 500 per violation
 21 Violation of KCC Title 10 - \$ 250 per violation
 22 Violation of KCC 12.92 - \$ 500 per violation
 23 Violation of KCC Title 13 - \$ 250 per violation
 24 Violation of KCC ch. 16.82 - \$ 500 per violation
 25 Violation of KCC Title 19 - \$ 250 per violation
 26 Violation of any stop
 27 work order - \$ 500 per violation
 28 All other violations - \$ 150 per violation

29 (b) Civil penalties for violations by persons engaged in
 30 noncommercial ventures shall be assessed pursuant to the
 31 following schedule:

32 Violation of KCC ch. 8.12 - \$ 500 per violation
 33 Violation of KCC ch. 8.60 - \$ 250 per violation

1 Violation of KCC ch. 16.82 - \$ 100 per violation

2 Violation of KCC Title 19 - \$ 100 per violation

3 Violation of any stop
4 work order - \$ 100 per violation

5 All other violations - \$ 25 per violation

6 (c) Penalties for the second separate violation by the
7 same person shall be double the rates identified in subsections
8 (a) and (b). Penalties for any separate violation beyond a
9 second violation by the same person shall be triple the rates
10 identified in subsections (a) and (b).

11 INTRODUCED AND READ for the first time this 21th day of
12 September, 1979.

13 PASSED this 13th day of November, 1979.

14 KING COUNTY COUNCIL
15 KING COUNTY, WASHINGTON

16 *Ruby Chow*
17 Chairman

18 ATTEST:

19
20 *Dorothy M. Luoma*
21 Deputy Clerk of the Council

22 APPROVED this 16th day of November, 1979.

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24 *[Signature]*
25 King County Executive
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