

Ordinance 817

An ordinance amending Clallam County Code Chapter 33.59, Enforcement, in conjunction with the adoption of a new Clallam County Code Compliance Title

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section .010 Enforcement is amended to read as follows:

~~— The purpose of this chapter is to establish procedures for enforcing the provisions of this title, the Clallam County Zoning Code.~~

(1) A violation of the provisions of this title is any action or omission that violates a provision of this title or a condition of any permit or approval issued pursuant to this title.

(2) A violation of the provisions of this title shall constitute a civil violation subject to a monetary penalty as well as prosecution as a misdemeanor. Conviction of a violation or payment of a penalty does not relieve a violator from compliance with this title.

(3) A violation of the provisions of this title is hereby determined to be detrimental to the public health, safety, and environment and is hereby declared to be a public nuisance, subject to prevention, removal, or abatement at the expense of the person(s) creating, causing, or committing such violation, and subject to the recording of a lien for such expenses against the property where the public nuisance is located, with such a lien to be of equal rank with state, county, and municipal taxes.

(4) The provisions of this title are subject to the enforcement and penalty provisions contained in CCC Title <>, Code Compliance, except to the extent preempted by state or federal law, and except to the extent preempted by any contrary enforcement and penalty provisions contained in this title.

(5) Any person who violates this title or the provisions of a permit or approval issued pursuant to this title shall be liable for all damage to public or private property arising from such violation, including the cost of restoring the affected area to its condition prior to such violation.

(6) Clallam County shall not issue any permit, license or other development approval on a development proposal site subject to an enforcement order under this chapter; provided that Clallam County may issue such permits to rectify or correct enforcement orders.

Section 2. Section .020, Definitions, is deleted entirely.

Section 3. Section .030, Right of entry, is deleted entirely.

Section 4. Section .040, Order to cease and desist, is deleted entirely.

Section 5. Section .050, Civil penalty, is deleted entirely.

Section 6. Section .060, Appeal of civil penalty, is deleted entirely.

Section 7. Section .070, Injunctive relief, is deleted entirely.

Section 8. Section .080, Moratorium on further permits, suspension of permits, revocation of permits, is deleted entirely.

Section 9. Section .090, Liability for damage resulting from violation, is deleted entirely.

ADOPTED this third day of April 2007



BOARD OF CLALLAM COUNTY COMMISSIONERS

Stephen P. Tharinger
Stephen P. Tharinger, Chair

Michael C. Chapman
Michael C. Chapman

ATTEST:

Trish Holden
Trish Holden, CMC, Clerk of the Board

Howard V. Doherty, Jr.
Howard V. Doherty, Jr.