

H1
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Ordinance 944

An ordinance repealing in its entirety Clallam County Code Chapter 20.16, Citations

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Section 1. Section 20.16.010, Authority and effect is repealed in its entirety:

~~(1) Whenever the Director has reason to believe that a civil code violation has occurred or is occurring, or that the terms of a voluntary compliance agreement have not been met, the Director may issue a citation to any person responsible for code compliance. Issuance of a warning, stop work order, or notice and order is not required before issuing a citation.~~

~~(2) A citation represents a determination that a civil code violation has occurred and that the person named therein is responsible for code compliance.~~

~~(3) Failure to appeal the citation according to the procedures set forth in this title shall render the citation a final determination that the conditions described in the citation exist and constitute a civil code violation, that the person named therein is liable, and that the stated penalties are properly imposed.~~

~~(4) Penalties will be imposed according to the provisions of the penalties schedule contained in this title.~~

~~(5) The payment of penalties does not relieve a person responsible for code compliance of any obligation to stop and correct a violation and does not waive any of the penalties and costs accrued and accruing under previously or subsequently issued citations, stop work orders, notice and orders, or any other legal action.~~

~~(6) Issuance of a citation in no way limits the Director's authority to issue a stop work order, notice and order, or subsequent citations, or pursue any other legal action.~~

~~(7) The Director may revoke or modify in writing a citation issued under this title if the original citation was issued in error or if a party to a citation was incorrectly named. A modified citation shall identify the reasons and underlying facts for modification and shall be governed by the same procedures as citations contained in this title.~~

Section 2. Section 20.12.020, Contents to be repealed in its entirety:

~~In addition to identifying the name and address of the person to whom the citation is issued, the citation shall contain the following:~~

~~(1) The address, legal description, and/or Clallam County tax parcel number of the subject property;~~

~~(2) A summary of the information that forms the basis of the determination that a violation has occurred or is occurring on the subject property;~~

~~(3) A reference to the specific provisions of the ordinance, permit condition, notice and order provision, or stop work order that was or is being violated;~~

~~(4) Notification of the amount of civil penalty per violation being assessed and accruing pursuant to the provisions of this title, and notification that penalties are due and payable within 30 calendar days of service of the citation;~~

~~(5) Notification that if any penalties remain unpaid 90 calendar days after they are imposed, interest will begin to accrue at six percent per annum, a lien will be recorded against the subject property (if owned by the responsible person), and/or the amounts due will be forwarded to a collection agency for collection;~~

~~(6) Notification that the citation may be appealed to the Hearing Examiner within 14 calendar days of the date of service of the citation;~~

~~(7) Notification that collection of the penalties assessed in the citation shall be stayed as to the appealing party while any administrative appeal under this title is pending;~~

~~(8) Notification that a failure to appeal the citation within the appeal time limit renders the citation a final determination that the conditions described in the citation exist and constitute a civil code violation, that the named party is liable as a person responsible for code compliance, and that the stated penalties are properly imposed;~~

~~— (9) Notification that failure to correct the violation potentially subjects the named person to further remedies, including but not limited to assessment of additional penalties, costs, orders to correct the violations, suspension, revocation, or denial of a development permit, and/or abatement;~~

~~— (10) Notification that it is the duty of the person responsible for code compliance to notify the Director in writing of any actions taken to achieve compliance;~~

~~— (11) Notification that the violation is not considered corrected unless and until the Director issues a written certificate of correction.~~

ADOPTED this 10 day of July 2018

BOARD OF CLALLAM COUNTY COMMISSIONERS



Mark Ozias, Chair



Randy Johnson



Bill Peach

ATTEST:



Loni Gores, Clerk of the Board