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Ordinance 947

An ordinance amending Clallam County Code Chapter 20.24, Stop Work Orders

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

**Section 1. Section 20.24.010, Authority and effect, is amended to read as follows:**

- (1) Whenever the Director has reason to believe that a civil code violation is occurring, or that the terms of a voluntary compliance agreement are not being met, the Director may issue a stop work order ~~or proceed to establish a hearing date pursuant to Chapter 20.33 of this Code. Issuance of a notice and order is not required before issuing a stop work order. Issuance of a warning, citation, or a notice and order is not required before issuing a stop work order.~~
- (2) A stop work order represents ~~a determination~~ an allegation that a civil code violation has occurred or is occurring and that any work or activity that is causing or contributing to the violation on the subject property must cease.
- (3) ~~Failure to appeal the stop work order according to the procedures set forth in this title shall render the stop work order a final determination that the civil code violation occurred and that work was properly ordered to cease. The County's final decision regarding the stop work order will be made by the County's Hearing Examiner according to the procedures set forth in Chapter 20.33 of this Code. If the Hearing Examiner determines the stop work issue was validly issued, then that shall be a final determination that the civil code violation occurred and that work was properly ordered to cease.~~
- (4) Issuance of a stop work order in no way limits the Director's authority ~~to issue a citation or notice and order, or to~~ pursue any other legal action.

**Section 2. Section 20.24.020, Contents is amended to read as follows:**

In addition to identifying the name and address of the person to whom the stop work order is directed, if known, the stop work order shall contain the following:

- (1) The address or location of the civil code violation;
- (2) The legal description or the Clallam County tax parcel number of the subject property;
- (3) A summary of the information that forms the basis of the determination that a violation has occurred or is occurring on the subject property;
- (4) Notification of the specific provisions of the ordinance, permit condition, or notice and order provision that was or is being violated;
- (5) Notification that the stop work order requires the immediate cessation of the specified work or activity on the subject property and that work or activity may not resume unless authorized in writing by the Director in the form of a certificate of correction;
- (6) Notification that a stop work ~~order may be appealed to the Hearing Examiner within 14 calendar days of the date of service of the stop work order but that any stop work order remains in full force and effect until resolution of the appeal; will be the subject of an administrative hearing before the Hearing Examiner pursuant to Chapter 20.33 of this Code. However, any stop work order remains in full force and effect until resolution of the stop work order by the Hearing Examiner or any court of competent jurisdiction;~~
- ~~(7) Notification that failure to appeal the stop work order within the applicable time limits renders the stop work order a final determination that the civil code violation occurred and that work was properly ordered to cease; Notification of the date, time and place when and where the County's Hearing Examiner will make the County's decision with respect to the stop work order, said notification informing the alleged violator of their right to provide testimony (in written or oral format) to the Hearing Examiner at the date and time established, while requiring the alleged violator to submit all written testimony to the Hearing Examiner at least five (5) business days before the date set for the hearing.~~

(8) Notification that a violation of a stop work order shall be a separate civil code violation, subject to assessment of additional penalties and costs.

ADOPTED this 10 day of July 2018

BOARD OF CLALLAM COUNTY COMMISSIONERS

[Signature]  
Mark Ozias, Chair

[Signature]  
Randy Johnson

[Signature]  
Bill Peach

ATTEST:

[Signature]  
Loni Gores, Clerk of the Board