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County Council

SNOHOMISH COUNTY, WASHINGTON



CO00028306

ORDINANCE NO. 85-027

Repealing Chapter 21.24 Snohomish County Code and  
enacting a new Chapter 21.24 Snohomish County Code

BE IT ORDAINED:

Section 1. Chapter 21.24 of the Snohomish County Code is hereby  
repealed.

Section 2. A new Chapter 21.24 Snohomish County Code is hereby  
adopted which sections are as follows:

CHAPTER 21.24

Enforcement

Sections:

- 21.24.010 Director's Authority
- 21.24.020 Title 28, Snohomish County Code - Applicable
- 21.24.030 Order to Cease Violation
- 21.24.040 Notice of Violation - Penalty - Abatement
- 21.24.050 Public Nuisance
- 21.24.060 Alternative Remedies
- 21.24.070 Administrative Jurisdiction - Nonexclusive
- 21.24.080 Permit Recision

Section 21.24.010 Director's Authority. Whenever the Director determines that any condition or development or substantial development exists in violation of this title, or the Shoreline Management Act, or Master Program, or any code or standard required to be adhered to thereby or by this title, he is authorized to enforce the provisions of this title, the Act, Program, or codes or standards, pertaining to such condition, development or substantial development existing in violation thereof.

Section 21.24.020 Title 28, Snohomish County Code - Applicable. All violations of this title, the Act, Program and codes and standards aforementioned, are made subject to the provisions of Title 28, Snohomish County Code.

Section 21.24.030 Order to Cease Violation. Whenever any condition is found to be in violation of this title, or the Shorelines Management Act or Master Program or codes or standards required to be adhered to thereunder, and pending commencement and completion of the notice and order procedure of Section 21.24.040, the Director may order the cessation of activity causing the violative condition by notice in writing served on the person(s) engaged in or causing such condition. The effect of such order shall be to require immediate cessation of activity causing the violative condition. Said order shall not be affected by any right of appeal afforded by this or any other title of this code.

Section 21.24.040 Notice of violation - Penalty - Abatement. The Director is authorized to order correction and discontinuance of any violative condition of the provisions of this title under the procedures of Title 28, Snohomish County Code, which provide for NOTICE OF VIOLATION AND ASSESSMENT OF PENALTY AND ORDER TO ABATE.

Section 21.24.050 Public Nuisance. All violations of this title, and codes and standards required thereby, are determined to be detrimental to the public health, safety, and welfare and are public nuisances. All conditions which are determined by the Director to be in violation of this title, or codes and standards required thereby, shall be

subject to the provisions of this title and shall be corrected by any reasonable and lawful means, as provided in this title.

Section 21.24.060 Alternative Remedies. As an alternative to any other judicial or administrative remedy provided in this title or by law or other ordinance, any person who wilfully or knowingly violates any provision of this title or any order issued pursuant to this title, or by each act of commission or omission procures, aids or abets such violation, is guilty of a misdemeanor and upon conviction shall be punished as provided in Snohomish County Code 1.01.100. Each day such violation continues shall be considered an additional misdemeanor offense.

Section 21.24.070 Administrative Jurisdiction - Nonexclusive. The authority of the Director to enforce the provisions of this title is not in derogation of the authority of any other officer charged with the enforcement of law but is concurrent therewith. The authority of the Director to enforce the provisions of this title includes without limitation the requirement that he request the assistance of the prosecuting attorney's office for judicial enforcement as may be deemed appropriate by the prosecuting attorney.

Section 21.24.080 Permit Recision. Whenever any development or substantial development is in violation of a permit issued pursuant to this title, the Community Development Division may, concurrent with or as an alternative to any other remedy provided by this title or other law or ordinance, initiate permit recision proceedings by scheduling a public hearing before the hearing examiner and serving the permittee with written notice thereof. Said notice shall contain a general description of the alleged noncompliance and date, time, and place of public hearing. It shall be served by registered mail at least fifteen calendar days prior to such hearing. In addition, the Community Planning Division shall publish such notice in a newspaper of general circulation in the county, and mail such notice to property owners of record within three hundred feet of the property considered or post the notice in at least three conspicuous places on the subject property, at least fifteen calendar days prior to the hearing. The permit recision request shall be processed in accordance with the procedures established in Chapter 2.02 SCC. Any person aggrieved by the action taken by the county on a recision request may seek review by filing a request for review with the Shorelines Hearings Board, pursuant to RCW 90.58.181(1) and WAC 461-08, within thirty days of the county's action. (Ord. 80-117 SS2(part), adopted December 30, 1980).

Dated MAY 1 1985

*Barbara Agnew*  
Chairman

ATTEST  
*Kathryn J. Norton*  
Clerk of the Council

THOMAS G. CARLSON  
DEPUTY EXECUTIVE  
*[Signature]*  
County Executive

ATTEST:  
*Gilder Colwell*

(  ) APPROVED ( ) VETOED  
( ) EMERGENCY Date May 6, 1985

PUBLISHED \_\_\_\_\_ and \_\_\_\_\_

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