ORDINANCE NO. 018-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO BUILDINGS AND CONSTRUCTION, ALLOWING FOR EXTENSIONS OF BUILDING PERMITS WHEN ISSUED WITH STORMWATER MANAGEMENT PERMITS FOR WATER, WASTEWATER, STORMWATER, AND STREET IMPROVEMENTS, SUCH EXTENSION TO COINCIDE WITH THE EXPIRATION DATE OF THE STORMWATER MANAGEMENT PERMIT; AMENDING SECTION 105.5 OF THE INTERNATIONAL BUILDING CODE, AS ADOPTED BY THE CITY IN PORT ORCHARD MUNICIPAL CODE SECTION 15.04.010, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Port Orchard has adopted the International Building Code, which provides that every issued building permit shall expire if the work authorized on the site by the permit is not begun within 180 days after issuance or if the work is suspended or abandoned for a period of 180 days after such work has begun; and

WHEREAS, the City desires to amend the Code to extend the life of building permits issued for water, wastewater, stormwater, and street improvements, where the property owner has concurrently obtained a Storm Water Management Permit (also known as a Site Development Activity Permit, “SDAP”), to coincide with the expiration date of the Storm Water Management Permit (which expires within three years after issuance and may be extended for an additional two years for a total of five years, in Port Orchard Municipal Code Section 15.32.030); and
WHEREAS the SEPA Responsible Official has determined that this Ordinance is categorically exempt from SEPA as affecting only procedural and no substantive standards, pursuant to WAC 197-11-800(19); and

WHEREAS, the City Council held a public hearing on this ordinance during its regular City Council meeting on December 9, 2014; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Section 105.5 of the International Building Code, as adopted by reference by the City of Port Orchard in POMC Section 15.04.010, as follows:

105.5 Expiration.

A. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

B. Notwithstanding the above, if the City has issued a Storm Water Management Permit (or site development activity permit (SDAP) under POMC Section 15.32.030) and building permit for water, wastewater, stormwater, or street improvement structures or fixtures, then the building permit shall expire concurrent with and under the same terms as set forth in POMC Section 15.32.030 as the issued Storm Water Management Permit.

Section 2. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.
Section 4. Effective Date. This Ordinance shall become effective five days after publication as provided by law.

PASSED by the Council and approved by the Mayor of the City of Port Orchard, this 9th day of December, 2014.

ATTEST:

[Signature]
Brandy Rinearson, City Clerk

APPROVED AS TO FORM:

[Signature]
Carol Morris, City Attorney

Sponsored by:

[Signature]
John Clauson, Councilmember

Timothy C. Matthes, Mayor
NOTICE OF CITY OF PORT ORCHARD
ORDINANCE

The following is a summary of an Ordinance approved by the Port Orchard City Council at their regular Council meeting held December 9, 2014.

ORDINANCE NO. 018-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO BUILDINGS AND CONSTRUCTION, ALLOWING FOR EXTENSIONS OF BUILDING PERMITS WHEN ISSUED WITH STORMWATER MANAGEMENT PERMITS FOR WATER, WASTEWATER, STORMWATER, AND STREET IMPROVEMENTS, SUCH EXTENSION TO COINCIDE WITH THE EXPIRATION DATE OF THE STORMWATER MANAGEMENT PERMIT; AMENDING SECTION 105.5 OF THE INTERNATIONAL BUILDING CODE, AS ADOPTED BY THE CITY IN PORT ORCHARD MUNICIPAL CODE SECTION 15.04.010, AND SETTING AN EFFECTIVE DATE.

Copies of Ordinance No. 018-14 are available for review at the office of the City Clerk of the City of Port Orchard. Upon written request a statement of the full text of the Ordinance will be mailed to any interested person without charge. Thirty days after publication, copies of Ordinance No. 018-14 will be provided at a nominal charge.

City of Port Orchard

Brandy Rinearson
City Clerk

Publish: Port Orchard Independent
December 19, 2014