



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

*To enable the development of quality, affordable, structurally safe and environmentally sound communities.*

Jeff Rimack  
DIRECTOR

### Code Compliance – Frequently Asked Questions

- Q: How are code compliance actions started?
- A: Almost all code compliance actions are initiated when another person makes a “complaint” reporting conditions on your property or under your control they believe are in violation of county code. At times county staff refers conditions or actions to code compliance for assistance.
- Q: What happens if someone files a complaint about my property?
- A: Code compliance staff reviews every complaint to assure that the county has jurisdiction and to determine whether a violation of county code might exist. Many complaints are resolved when research shows that conditions reported are actually OK. If the complaint can’t be resolved based on the research staff contacts the owner or person responsible for the condition to resolve the situation. Many times, the condition can be resolved with a simple phone call but other situations require a site visit.
- Q: Are all complaints treated the same?
- A: No. Complaints are categorized into one of 3 levels. Level 1 involves situations where lives or property are in imminent danger or where irreparable harm to the environment is or may be occurring. Level 2 involves situations where an activity is occurring in violation of county code where no immediate fire, life safety, structural integrity or environmental hazards are present. Level 3 includes everything not classified as level 1 or 2. Level one complaints are handled As Soon As Possible, Level 2 generally within two weeks and Level 3 within a month.
- Q: What can I expect if staff performs a site visit?
- A: Staff will make all attempts to contact the occupant or other responsible party on site at the time of the visit. Often arrangements are made before the visit to meet the owner or responsible party on site. Staff will always introduce themselves, provide identification and explain the purpose for their visit. If no one is home, staff will leave a door hangar, business card or other posting requesting that the owner or responsible party contact staff for information.
- Q: What “Right of Entry” does the compliance staff exercise to come onto my property?
- A: Staff will access property the same as a UPS/Fed Ex delivery driver or Girl Scout selling cookies would; we will go directly to the front door of the primary residence and typically no further without consent. If the property is posted and gated (closed), we will not proceed unless there is probable cause to believe that irreparable harm or immediate life safety hazards exist.
- Q: What information will staff use to validate a complaint?
- A: Any information provided with the complaint, discovered during the site visit, obtained through conversations with property owners and responsible parties and by researching pertinent records. Staff commonly uses Kitsap County Assessor records, Kitsap County Auditor records, Google Earth imagery, photos provided by the complainant, Washington State Archive data including aerial imagery, Kitsap County permitting and parcel file records, GIS mapping etc.

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## Code Compliance – Frequently Asked Questions - continued

- Q: What happens if a violation is discovered or confirmed?
- A: During a site visit, staff will provide general information about violations and what may be required to remedy the situation. After the site visit you will receive a letter detailing what specifically is in violation, what sections of county code are involved and what steps are necessary to correct the violation.
- Q: I have received a letter from the county advising me of violations that exist on my property. Now what?
- A: You need to contact staff as directed in the letter to obtain more information and learn what steps need to be taken to address the situation. You may need some time to obtain permits (if required) and arrange for corrections to be made. Compliance staff is used to working with clients to facilitate voluntary compliance and can establish schedules that meet the needs of most situations. You may be able to resolve things on your own – or you might need to meet with other county staff to come up with plans to remedy the situation. On occasion, you may be directed to immediately Stop Work, vacate structures or end certain activities immediately as they present real hazards to you, other individuals or to the property involved.
- Q: What if I disagree with the decision made by compliance staff?
- A: Appeals of things involving fire and building codes can be appealed to either the fire marshal or building official. Most other code enforcement decisions are Type One administrative decisions that can be appealed to the Hearing Examiner. See Chapter 21.04 Kitsap County Code and Title 14 Kitsap County Code for specific appeal requirements.
- Q: What happens if I ignore the letter, fail to Stop Work or refuse to correct the conditions in violation?
- A: Staff prefers to correct all violations by working closely with owners and responsible parties to achieve voluntary compliance. In fact, almost all compliance cases are resolved this way. However, if voluntary compliance is not possible compliance citations may be issued requiring your presence in District Court, fines may be assessed, notices may be recorded against the property or injunctions compelling actions to be taken may be obtained and enforced. In rare occasions, warrants of abatement may be obtained and the county may cause corrective actions to be taken with the cost of the actions assessed upon the property owners and property. These enforcement actions can easily be avoided by working with staff and making satisfactory progress towards compliance.
- Q: Can I find out who turned me in?
- A: Almost all information retained by Kitsap County is a public record and can be obtained by filing a Public Disclosure Request (PDR). In certain circumstances, state law requires the County to withhold or redact reporting party or witness information.
- Q: Once all violations are corrected how will I know that the compliance case is closed?
- A: You will receive a letter or other correspondence from the county confirming that all necessary corrections have been made and violations no longer exist.