



# FEE REFUND POLICY COMMUNITY DEVELOPMENT



- 1.0 **Background:** In 2009, the Department of Community Development initiated a code update that removed specific reference to fees in Kitsap County Code Title 14 and Title 21 and replaced that with language that authorized Kitsap County permit fees and fee policies to be established by resolution (*Ordinance No. 440-2009*) and subsequent updates. The following Kitsap County Code references provide updated code language regarding permits fees, policies, and refunds:

## **Kitsap County Code 14.04.120 Kitsap County permit fees.**

*“Kitsap County building permit fees and fee policies (including refund policies) shall be established by, and may be modified by, resolution. The resolution(s) shall include all building permit fee policies and fee schedules for the department of community development. The public participation process for adopting fee policies and the building permit fee schedule, by resolution, shall include a public hearing before the Kitsap board of county commissioners for any proposed change. Fees or fee policies established or modified by resolution shall occur during the scheduled Kitsap County annual and/or quarterly supplemental budget process. The resolution shall be available for public inspection in the department of community development.”*

## **Kitsap County Code 14.04.125 Fee Refunds.**

*“The Code Official shall authorize fee refunds as established by resolution.”*

- 2.0 **Purpose:** To provide transparency for the clients of the Department of Community Development who may be seeking a refund of fees.
- 3.0 **Authority:** Kitsap County Code Official

#### 4.0 Policy:

- 4.1. For the purposes of this policy the Kitsap County Code Official shall mean the Director or the Assistant Director of the Department of Community Development or their designee.
- 4.2. All fee refunds shall be authorized by the Kitsap County Code Official or their designee.
- 4.3. Refund requests shall be submitted to the Department in writing by the applicant or applicant's authorized agent and shall include the permit or application number, and the specific reason for the refund request.
- 4.4. Refund requests must be received or postmarked within 1 year of the original payment date.
- 4.5. Refund requests must be made prior to the expiration of the permit or application.
- 4.6. Refunds shall be issued within 60 calendar days of the refund request date, once authorized.
- 4.7. Refunds shall only be issued to the original 'payee' unless the original 'payee' provides a notarized authorization for the refund to be issued to someone else.
- 4.8. The following items shall not be eligible for refund:
  - Base application fees
  - Technology surcharge
  - Fees previously collected for expired permits or applications
  - Fees expended to satisfy public notification requirements
  - Fees associated with expended staff hours for application review notification, processing, and/or inspection
  - Hearing examiner fees once the hearing has been conducted
  - Washington State Building Code Council surcharges
  - Kitsap Public Health District fees
- 4.9. Prior to the release of any refund, the following will be deducted from the refund amount:
  - All fees or charges owed on the subject application or permit, and
  - All fees or charges owed on any associated application or permit, and
  - All monthly billed fees owed
- 4.10. Policy Exceptions: The Kitsap County Code Official or their designee has authority to approve refunds that may occur because of departmental processing errors.

#### 5.0 Exclusions:

- 5.1. Refunds or credits related to Land Use and Development permits, which are subject to Application Fee Deposit and/or charged monthly, are subject to the approved DCD Fee Policies.