



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.

“A. 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.”

Kitsap County Code 21.06.100 Kitsap County development permit fees and fee policies established by resolution.

“Kitsap County development permit fees and fee policies (including refund policies) shall be established by, and may be modified by, resolution unless specified in another section of this title. The resolution shall include permit fee policies and fee schedules for certain fees for the department of the assessor, certain fees for the department of public works and all fees for the department of community development. The public participation process for adopting fees and fee policies by resolution shall include a public hearing before the Kitsap board of county commissioners for any proposed change. Fees 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 at each of the Kitsap County departments”.

Resolution 223-2009 Fee Schedule and subsequent updates approved via resolution.

“The Code Official shall establish a refund policy. The refund amount will be determined by the amount of work completed by the Department, not to exceed 80% of the initial fee. In addition, the code official may authorize the refunding of any fee paid in error.”

- 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 Deputy Director of the Department of Community Development or their designee.
 - 4.2. All fee refunds shall be authorized by the Kitsap County Code Official.
 - 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, the specific reason for the request and the amount of refund requested.
 - 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 fees
 - 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 or inspection
 - Hearing examiner fees once the hearing has been conducted
 - State Building Code Council surcharges
 - 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 more than 60 days
- 5.0 Exclusions: Refunds or credits related to Land Use and Development permits, which are subject to base fees, are subject to the policies as specified in Resolution 181-2013 Fee Policies and subsequent updates approved via resolution.