

Code Enforcement & Proposed CE Ordinance

Presentation to Lauren Smith,
King County Director of Regional Planning

Joint Team
August 6, 2024

Agenda

- Big Picture and History of Code Enforcement
- Proposed CE Ordinance Feedback
- Proposed CE Ordinance Likely Outcomes
- Ask

Big Picture Viewpoint

- In KC Unincorporated Rural area (A, F, M and RA zones), the Rule of Law for Land Use is Ignored
 - KC does NOT effectively enforce the code – crisis for Rural
 - Public believes KC does not enforce code or play fair
 - KC issues permits that should not be issued
 - Longstanding problem, growing caseload due to macro influences

Code Enforcement Major Themes

- The most concerning violators are for-profit businesses (commercial, retail, industrial, manufacturing, developers), not homeowners
- Two types of problematic CE cases
 - Permit Conditions ignored and papered over with additional permits
 - Land use violations ignored, and businesses entrenched by KC requesting permits for secondary issues
- P & CE emphasizes serving violator, not public. Violator is “customer,” public is “complainant”
- Don’t effectively use tools in Title 23 to reduce costs or encourage compliance

Recent History Behind Proposed CE Ord

- November 2022 Proviso by KC Council
 - Focus on shortening case resolution timeline
- Pressure from KC LS&LU committee to reduce caseload (1800+)
 - Request and execution of 2023 code enforcement audit

Proposed CE Ordinance Feedback

- Some good improvements
 - Citation and civil penalty authority; increased fines
- Major Issue 1 – removes enforcement of land use violations
 - Makes land use violations LOW priority
 - LOW priority cases are “resolved” and closed with just an information letter to responsible persons
- Major Issue 2 – removes citizen involvement and oversight of CE function
 - Removes requirement to keep “complainant” (citizen) informed
 - Repeals complainant ability to appeal

Outcomes of Proposed CE Ordinance

- Increase violations because rule of law and land use codes will not be enforced
 - Effective enforcement systems require certainty of penalties
- Increase public safety and environmental harms
 - Escalating illegal land uses main cause of these problems
- Increase Rural land prices, particularly on A lands
- Increase lack of public trust and outrage
 - CE becomes even more black box with no oversight

Legal Framework

- Protecting Rural with effective code enforcement stems from GMA

**RCW [36.70A.120](#) Planning activities and capital budget decisions—
Implementation in conformity with comprehensive plan.**

Each county and city that is required or chooses to plan under
RCW [36.70A.040](#) shall perform its activities and make capital budget decisions
in conformity with its comprehensive plan.

Recent Inputs on Code Enforcement to KC

- February 26, 2024 “Time for Fundamental Changes at DLS” letter from Joint Team to Executive Constantine and staff
- June 28, 2024 comment letter from Futurewise on Proposed CE Ord
- June 30, 2024 comment letter from Joint Team on Proposed CE Ord
- August 6, 2024 presentation

Summary

- Proposed Code Enforcement Ordinance will only worsen Rural code enforcement crisis
- Without code enforcement urban sprawl occurs
- We are at a crossroads: urban sprawl .vs. sustainable cities with protected natural resources and meeting climate goals

Ask

- Joint Team requests a meeting with you to discuss a proposed strategic initiative to fix the code enforcement crisis

Appendix

Joint Team Organizations

- Enumclaw Plateau Community Association (EPCA)
- Friends of Sammamish Valley (FoSV)
- Greater Maple Valley Unincorporated Area Council (GMVUAC)
- Green River Coalition (GRC)
- Green Valley/Lake Holm Association (GV/LHA)
- Hollywood Hill Association (HHA)
- Soos Creek Area Response (SCAR)
- Upper Bear Creek Unincorporated Area Council (UBCUAC)

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History: P & CE Reviews/Audits

2023 CE Audit

Department of Permitting & Environmental Review — Local Services - Permitting (DLS-PER); Performance Audit: October 10, 2017; Follow-up report: August 2, 2021

Code Enforcement and Abatement Process Evaluation Report (2015-RPT0150)

Performance audit of Code Enforcement, October 20, 2008

Performance audit of new construction assessments, June 13, 2006

Performance Audit of Department of Development and Environmental Services Workload and Staffing, September 28, 2004

Department of Development and Environmental Services – Permitting Best Practices Review – Special Study, March 2, 2004

Management Audit King County Permit Processes and Practices, October 3, 2000

SEPA Revenues and Accounts Receivable — Local Services - Permitting (DLS-PER); Financial Review: February 5, 1993

BALD Financial Guarantee Administration — Local Services - Permitting (DLS-PER); Management Audit: September 25, 1992

Sierra Permits System — Local Services - Permitting (DLS-PER); Management Audit: May 29, 1992

BALD Permit Fee Collection — Local Services - Permitting (DLS-PER); Financial Review: February 7, 1985

BALD Employee Questionnaire — Local Services - Permitting (DLS-PER); Other: October 8, 1976