

**Chapter 14.85**  
**ENFORCEMENT**

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**14.85.010 Purpose.** The purposes of this Chapter are:

- A. To provide fair and effective means of enforcing the Development Code, Title 14 SMC;
- B. To provide the opportunity for a prompt hearing and resolution of alleged violations of Title 14 SMC;
- C. To establish civil and criminal penalties for violations of Title 14 SMC; and
- D. To abate and/or otherwise bring into compliance violations of Title 14 SMC.

**14.85.020 Violations.**

- A. It shall be a violation of the Development Code to:
  - 1. Violate any of its provisions;
  - 2. Proceed with a development without first obtaining a required permit;
  - 3. Violate any condition of a permit issued pursuant to the Development Code;
  - 4. Violate any order issued pursuant to the Development Code;
  - 5. Aid or abet a violation of the Development Code;

- 6. Knowingly falsify any document required by the Development Code; or
- 7. Falsify or tamper with any monitoring device or record required in the administration of the Development Code.

- B. Proof that a violation of the Development Code exists on a property shall constitute prima facie evidence that the owner of the property is the violator. However, this shall not relieve or prevent enforcement against any other responsible person.
- C. Each day of violation shall constitute a separate offense. Each sale or transfer of each separate lot or tract of land in violation of the Development Code shall constitute a separate offense.

**14.85.030 Nature of Violation – Penalties.**

- A. Any violation of the Development Code shall be a civil violation pursuant to SMC 1.01.080 and Chapter 1.14 SMC, except as otherwise provided therein.
- B. Violations of the Development Code shall also be classified as nuisances under Chapter 9.94 SMC.
- C. Payment of a penalty shall not relieve the violator of the duty to correct the violation.

**14.85.040 Right of Inspection.** The City Planner or his or her representative may inspect buildings, structures, or premises for compliance with the Development Code as allowed by law, including but not limited to the following circumstances:

- A. With the written permission of the owner or owner’s representative, which may include a written

statement included on the permit application form;

- B. With the verbal permission of the owner, tenant, or other responsible party; or
- C. With an administrative search warrant.

**14.85.050 Stop Work Order.** In addition to the stop work and stop use provisions of Ch. 1.14 SMC, the City Planner or his or her representative may order any development stopped if:

- A. A required permit was not obtained;
- B. The development violates the Development Code or any permit requirement or condition;
- C. The permit was based on erroneous information submitted by the applicant; or
- D. The work has become a hazard to life or property due to weather or other unforeseen conditions.

**14.85.060 Other Recourse.** In addition to the other violation remedies set forth in this section, the City may also:

- A. Revoke, place further conditions on, or suspend processing of permits pertaining to the violator or the premises on which the violation occurred;
- B. File for injunctive or other civil relief in Superior Court; or
- C. Pursue any other recourse available under law.

(Ord. 2155, 2008)