

## CHAPTER 21.50 ENFORCEMENT

### SECTIONS:

- 21.50.010 Purpose.**
- 21.50.020 Authority and application.**
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**21.50.010 Purpose.** The purpose of this chapter is to promote compliance with this title by establishing enforcement authority, defining violations, and setting standards for initiating the procedures set forth in WMC 21.50, Enforcement, when violations of this title occur.

**21.50.020 Authority and application.** The Development Services Director is authorized to enforce the provisions of this code, any implementing administrative rules, and approval conditions attached to any land use approval, through revocation or modification of permits, or through the enforcement, penalty and abatement provisions in WMC 1.06.

**21.50.030 Violations defined.** No building permit or land use approval in conflict with the provisions of this title shall be issued. Structures or uses which do not conform to this title, except legal non-conformances specified in WMC 21.32 and approved variances, are violations subject to the enforcement, penalty and abatement provisions of this chapter, including but not limited to:

- (1) Establishing a use not permitted in the zone in which it is located,
- (2) Constructing, expanding or placing a structure in violation of setback, height and other dimensional standards in this title,
- (3) Establishing a permitted use without complying with applicable development standards set forth in other titles, ordinances, rules or other laws, including but not limited to, road construction, surface water management, the Fire Code, and rules of the County department of public health,
- (4) Failing to carry out or observe conditions of land use or permit approval, including contract development standards,
- (5) Failing to secure required land use or permit approval prior to establishing a permitted use, and
- (6) Failing to maintain site improvements, such as landscaping, parking or drainage control facilities as required by this code or other City of Woodinville ordinances.

**21.50.040 Permit suspension, revocation or modification.**

- (1) Permit suspension, revocation or modification shall be carried out through the procedures set forth herein. Any permit, variance, or other land use approval issued by the City of Woodinville pursuant to this title may be suspended, revoked or modified on one or more of the following grounds:
  - (a) The approval was obtained by fraud,
  - (b) The approval was based on inadequate or inaccurate information,
  - (c) The approval, when given, conflicted with existing laws or regulations applicable thereto,
  - (d) An error of procedure occurred which prevented consideration of the interests of persons directly affected by the approval,
  - (e) The approval or permit granted is being exercised contrary to the terms or conditions of such approval or in violation of any statute, law or regulation,
  - (f) The use for which the approval was granted is being exercised in a manner detrimental to the public health or safety,
  - (g) The holder of the permit or approval interferes with the Development Services Director or any authorized representative in the performance of his or her duties, or
  - (h) The holder of the permit or approval fails to comply with any notice and order issued pursuant to the WMC.
- (2) Authority to revoke or modify a permit or land use approval shall be exercised by the issuer, as follows:
  - (a) The City Council may, after a recommendation from the Hearing Examiner, revoke or modify any residential density incentive approval, transfer of development credit, preliminary subdivision, zone reclassification or special use permit;
  - (b) The Hearing Examiner may revoke or modify any variance or conditional use permit, provided that it was reviewed through a public hearing and a new public hearing was held on its revocation or modification; and
  - (c) The Development Services Director may revoke or modify any permit or other land use approval issued administratively by the Development Services Director.

**21.50.050 Initiation of revocation or modification proceedings.**

- (1) The Development Services Director may suspend any permit, variance or land use approval issued by any City of Woodinville issuing agency and processed by the Department pending its revocation or modification, or pending a public hearing on its revocation or modification.
- (2) The issuing agency may initiate proceedings to revoke or modify any permit or land use approval it has issued.
- (3) Persons who are aggrieved may petition the issuing agency to initiate revocation or modification proceedings, and may petition the Development Services Director to suspend a permit, variance or land use approval pending a public hearing on its revocation or modification.