



Legislation Text

File #: 2003-0021, **Version:** 1

Clerk 01/17/2003

AN ORDINANCE related to code enforcement; providing for the commencement of civil action in superior court by a citizen for alleged violations of county code; authorizing the recovery of litigation costs; outlining the range of relief, remedies or civil penalties that may result from the civil action; and adding a new section to K.C.C. chapter 23.36.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. There is hereby added to K.C.C. chapter 23.36 a new section to read as follows:

Provisions for civil action in superior court.

A. Any citizen may commence a civil action in King County superior court on his or her own behalf against any person, including a governmental agency or instrumentality, who is alleged to be in violation of King County construction and land development codes, including, but not limited to, K.C.C. Titles 9, 16, 19A, 20, 21A and 25.

B. An action authorized under this section shall not be commenced before fourteen days from issuance of a notice to alleged violators and to the director of the department of development and environmental services of the requirements of county construction and land use codes alleged to be violated. However, the action may be brought immediately for an action that imperils the health and safety of the public at large or the citizen on whose behalf the enforcement action is brought.

C. A citizen who prevails or substantially prevails in an action commenced under this section shall be entitled to the recovery of the costs of litigation, including reasonable attorneys' and expert witness fees.

D. An action commenced under this section may request any combination of monetary relief, civil penalties, declaratory relief, temporary or permanent injunctive relief and other civil remedies provided by law.

E. For purposes of this section, "citizen" means a person or persons having an interest which is or may be adversely affected, including an individual citizen of King County, a landowner within King County, an incorporated or unincorporated association

of citizens, another governmental entity and an entity licensed to do business in King County.

official paper, 10 days prior