

**CITY OF BUCKLEY, WASHINGTON**

**ORDINANCE NO. 08-17**

**AN ORDINANCE of the City Council of the City of Buckley, Pierce County, Washington, Amending Chapter 1.12.010 entitled “Applicability of Chapter” and Chapter 16.70 entitled “Violations and Penalties” of the Buckley Municipal Code to transfer enforcement of the Building Codes to the City’s Code Enforcement Chapter.**

**WHEREAS**, the City Council recently updated BMC 16.06 “City Building Code” and BMC 16.24 “City Fire Code” to be consistent with RCW 19.27 which was effective July 1, 2016; and

**WHEREAS**, enforcement for the Building and Fire Codes violations has been through BMC 16.70 since 1998; and

**WHEREAS**, in 2005 the City developed comprehensive code enforcement provisions through adoption of Ordinance #09-05 that covered most municipal code violations but did not apply to BMC 16.70; and

**WHEREAS**, in order to eliminate redundancy and to continue to consolidate, clarify and update provisions of the municipal code, the City Council desires to incorporate enforcement of the Building and Fire Codes into the City’s Code Enforcement Chapter 1.12 by amending Chapter 1.12.010 and Chapter 16.70 of the Buckley Municipal Code; now, therefore,

**THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, DO HEREBY ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 1.12.010 of the Buckley Municipal Code entitled “Applicability of Chapter” is hereby amended to read as follows:

**1.12.010 Applicability of chapter.**

The provisions of this chapter shall apply to enforcement of BMC Titles 4, 6, 8, 9, 10, 11 (Chapter 11.44 BMC), 12 (Chapter 12.12 BMC), 14, 15, 16, 17, 18, and 19. For purposes of this chapter, such titles and chapters shall be referred to as “the applicable chapters and titles of this code.”

**Section 2.** Chapter 16.70 of the Buckley Municipal Code entitled “Violations and Penalties” is hereby amended to read as follows:

**16.70.010 Violations.**

It is unlawful for any person to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain, conduct any activity within, operate, or maintain any building, structure, facility, or vehicle in violation of any of the provisions of this title, or to fail to abate a hazard as required by this title. All violations of this title shall be subject to Chapter 1.12 BMC.

**16.70.015 Stop work order.**

The building official shall have the authority to serve a person or entity a stop work order if an action is being undertaken in violation of this chapter. The stop work order shall be served pursuant to BMC 1.12.170 and/or BMC 1.12.180. All material violations of this title that are not immediately remedied shall be considered continuing and a threat to public health and safety. Nothing in this section precludes imposition of a civil penalty.

**Section 3.** If any provision of this ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this ordinance, and shall in no way affect the validity of the other provisions of this ordinance.

**Section 4.** This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

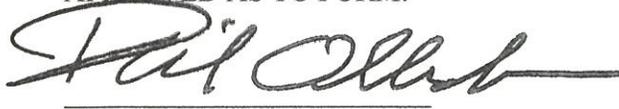
Passed by the City Council on the 28<sup>th</sup> day of March, 2017.

  
Mayor Pat Johnson

ATTEST:

  
Joanne Starr, City Clerk

APPROVED AS TO FORM:

  
Phil Olbrechts, City Attorney

PUBLISHED: April 5, 2017

EFFECTIVE: April 10, 2017