



MEMORANDUM

To: Kurt Triplett, City Manager

From: Tom Phillips, Building Services Manager
Kevin Nalder, Director of Fire and Building

Date: January 6, 2011

Subject: An Ordinance requiring completion of the exterior of a house under construction within two years

RECOMMENDATION

Council adopts an Ordinance requiring completion of the exterior of new single family homes and additions within two years of the building permit issuance.

BACKGROUND DISCUSSION

This ordinance will require the exterior of a new house or addition, under construction to be complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements, within two years of the issuance of the building permit.

A building permit for a new house or residential addition is valid for two years, but if the work is not completed within the two year period the permit may be renewed or a new permit obtained to complete the work. This creates the potential for a house to be under construction for longer than the initial two year period. We have received two recent complaints regarding prolonged construction being an unreasonable burden to the neighborhood. In both these cases the neighbors stated there would not be a concern if the exterior of the house was complete.

This issue was discussed at the June 17th 2010 Public Safety Committee meeting during a presentation of the Kirkland Property Maintenance Code (KPMC) adoption. At that meeting the Committee members asked staff to prepare an Ordinance to address the issue. The original proposal was to regulate this activity in the KPMC but after further deliberation staff felt that it best fit in the permit expiration section of the Kirkland Municipal Code for two reasons. First, the KPMC is a maintenance code and generally does not address buildings under construction. Second, this new requirement is tied to the expiration date of the permit which is regulated under Chapter 21.06 of the Kirkland Municipal Code.

ORDINANCE 4290

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO AMENDING CHAPTER 21.06 OF THE KIRKLAND MUNICIPAL CODE RELATED TO THE COMPLETION OF THE EXTERIOR OF NEW HOUSES AND ADDITIONS.

The City Council of the City of Kirkland do ordain as follows:

Section 1. Subsection 21.06.255(a) of the Kirkland Municipal Code is hereby amended to read as follows:

21.06.255 Permit expiration.

(a) Every building permit and its associated ancillary permits issued for an IRC permitted structure or for a tenant space within an existing building shall expire in two years from the date of issuance. Within two years of the issuance of the permit for an IRC structure, the outside must be complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements.

Section 2. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance, or the application of the provision to other persons or circumstances is not affected.

Section 3. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this 18th day of January, 2011.

Signed in authentication thereof this 18th day of January, 2011.

MAYOR

Attest:

City Clerk

Approved as to Form:

City Attorney