

Resolution #632

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON, REPEALING AND REPLACING RESOLUTION #607 TO UPDATE BUILDING PERMIT REGULATIONS BY ADDING PROCEDURES FOR EXPRESS PERMIT APPROVALS IN SPECIFIED CIRCUMSTANCES

Whereas, the Town of Yacolt, (hereafter “*Town*” or “*Yacolt*”), is required by the Washington State Building Code Act (RCW 19.27) to enforce building codes and laws as specified in that Act;

Whereas, the Washington State Building Code Act applies to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of any building or structure, unless exempt under the State Building Code or local authority;

Whereas, the Town Council’s goal and policy is to provide an efficient procedure for regulating building activities while collecting fees from applicants for only the reasonable and actual costs of processing applications and building permits as allowed by RCW 82.02.020 and RCW 19.27.100;

Whereas, the Town Council has determined that it would be unduly burdensome and technically unfeasible to attempt to create a functional schedule of fixed fees or fee formulas for different types of building activities due to the Town’s small size, the irregular and unpredictable types of building permit applications received from year to year, and the large variation in application processing costs incurred by the Town even for generally similar building projects;

Whereas, the Town Council has determined that the most efficient, effective and fair way to recover allowed costs for processing building permit applications is to enter into cost recovery agreements with applicants through which the Town recovers no more than the Town’s reasonable and actual permit processing costs as allowed by law;

Whereas, the Town Council has deemed it advisable and necessary to codify the Town’s Building Department regulations as they are developed so that the content of those regulations may be readily available to the Town and to the general public;

Whereas, on September 12, 2022, the Town Council adopted Resolution #607, entitled “A Resolution of the Town Council of the Town of Yacolt, Washington, Establishing Interim Regulations for Building and Construction Activities; Designating the Town’s Building Official; Describing the Limited Authority of the Building Official to Approve Building Permit Applications; Repealing Resolutions #553, #581, and #587; and Providing for an Effective Date”, to establish procedures for the administrative approval of building permits;

Whereas, the Town Council desires to improve the speed and efficiency of permit approvals where the administrative review process can be streamlined without diminishing the quality of the review and approval process;

Whereas, the Town Council believes that procedures for the “express approval” of certain types of building permit applications will also lower the cost of building permits for many types of applications;

Whereas, the Town Council has determined that it is in the public interest, health, safety and welfare to repeal and replace Resolution #607 with this Resolution #632; and,

Whereas, the Town Council of the Town of Yacolt is in regular session this 14th day of April, 2025, and all members of the Town Council have had notice of the time, place, and purpose of said regular meeting pursuant to RCW 42.30:

NOW THEREFORE, be it Resolved by the Town Council of the Town of Yacolt, Washington, as follows:

Section 1 - Adoption of Recitals. The foregoing Recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this Resolution upon adoption hereof.

Section 2 - Repeal of Resolution #607. Resolution #607, adopted by the Yacolt Town Council on September 12, 2022, entitled “A Resolution of the Town Council of the Town of Yacolt, Washington, Establishing Interim Regulations for Building and Construction Activities; Designating the Town’s Building Official; Describing the Limited Authority of the Building Official to Approve Building Permit Applications; Repealing Resolutions #553, #581, and #587; and Providing for an Effective Date”, is hereby repealed in its entirety.

Section 3 - Building Department Regulations Reenacted – Resolution #632. The Building Department Regulations set forth in Resolution #607 are hereby reenacted and amended as set forth in this Resolution #632. The Town Council hereby adopts the following rules, policies and definitions as the regulations for the Town of Yacolt’s Building Department. The regulations may be referred to as the “Yacolt Building Code”.

Section 4 - Purpose of the Yacolt Building Code. The purpose of the Yacolt Building Code is to recognize the Town’s obligation to enforce minimum requirements for the construction, alteration, removal, demolition, use, occupancy, location and maintenance of buildings and structures located within the boundaries of the Town; to authorize Yacolt’s executive branch to adopt policies and procedures for processing applications; and to better communicate with the general public about the Town’s obligations and procedures for Building Department activities.

Section 5 - Components of the Yacolt Building Code. The Yacolt Building Code consists of Washington State, Federal and local laws that govern the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures in the Town. Yacolt adopts local regulations for building activities where the subject-matter is not preempted by State or Federal law. Yacolt enforces State and Federal law relating to building activities where the Town is required to do so because the subject-matter is preempted by superseding authority. Preemptive authority relating to Building Department functions is treated as part of the Yacolt Building Code.

The Yacolt Building Code includes, without limitation, the components listed below.

Section 5.1 - Washington State Building Code. The Washington State Building Code applies to the Town of Yacolt pursuant to the State Building Code Act, RCW 19.27. The State Building Code consists of multiple forms of regulation including State statutes and regulations, international codes that have been adopted by reference in State statutes, and amendments to the international codes as approved by the Washington State Building Code Council and described in the Washington Administrative Code, (WAC). As of the date of this Resolution, the State Building Code includes, without limitation, the following components:

- 5.1.1 RCW 19.27.031(1)(a) - The International Building Code, published by the International Code Council, Inc.;
- 5.1.2 WAC 51-50 - State Building Code adoption and amendment of the 2021 edition of the International Building Code;
- 5.1.3 RCW 19.27.031(1)(b) - The International Residential Code, published by the International Code Council, Inc.;
- 5.1.4 WAC 51-51 - State Building Code adoption and amendment of the 2018 edition of the International Residential Code;
- 5.1.5 RCW 19.27.031(2) - The International Mechanical Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code);
- 5.1.6 WAC 51-52 - State Building Code adoption and amendment of the 2018 edition of the International Mechanical Code;
- 5.1.7 RCW 19.27.031(3) - The International Fire Code, published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code: PROVIDED, That, notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles;
- 5.1.8 WAC 51-54A - State Building Code adoption and amendment of the 2021 edition of the International Fire Code;
- 5.1.9 RCW 19.27.031(4) - Portions of the International Wildland Urban Interface Code, published by the International Code Council Inc., as set forth in RCW 19.27.560;
- 5.1.10 RCW 19.27.031(5) - Except as provided in *RCW 19.27.170, the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED, that any provisions of such code affecting sewers or fuel gas piping are not adopted;
- 5.1.11 WAC 51-56 - State Building Code adoption and amendment of the 2018 edition of the Uniform Plumbing Code;
- 5.1.12 RCW 19.27.031(6) - The rules adopted by the Building Code Council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160; and,
- 5.1.13 RCW 19.27.031(7) - The state's climate zones for building purposes designated in RCW 19.27A.020(3).

Section 5.2 - Washington State Energy Code. The Washington State Energy Code applies to the Town of Yacolt pursuant to RCW 19.27A. The Washington State Energy Code consists of multiple

forms of regulation, including State statutes and regulations. As of the date of this Resolution, the Washington State Energy Code includes, without limitation, the following components:

- 5.2.1 RCW 19.27A – Energy-Related Building Standards;
- 5.2.2 WAC 51-11C - State Building Code adoption and amendment of the 2021 edition of the International Energy Conservation Code, Commercial; and,
- 5.2.3 WAC 51-11R - State Building Code adoption and amendment of the 2018 edition of the International Energy Conservation Code, Residential.

Section 5.3 – Other State and Federal Codes and Regulations. Numerous other State and Federal laws and regulations apply to building and development activities within the Town of Yacolt on a case-by-case basis. By way of example only, a partial list of such laws includes: a). Registration of Contractors under RCW 18.27; b). State Preemption of Certain Tax Fields under RCW 82.02.020; c). The State Environmental Policy Act, (SEPA); d). On-Site Sewage Disposal System Codes; e). Fire Prevention regulations; f). Electrical work permits and inspections; g). Regulations applicable to and enforced by the Southwest Clean Air Agency, (SWCAA); h). Utility and telecommunications facility development; and, i). uniform codes that apply by reference in the international codes described above.

Section 5.4 - Local Authority. The Yacolt Building Code is implemented through such policies, procedures, practices and forms as may be developed from time to time by the Town Council or by the Town's Mayor, staff and consultants pursuant to this delegation of authority by the Town Council. The Yacolt Building Code includes applicable rules described in this Resolution and in the Yacolt Municipal Code including, without limitation: a). Historic Preservation Commission; b). Impact Fees – YMC 3.15; c). Burning Permits – YMC 8.15; d). On-Site Sewage Disposal Systems – YMC 13.15; e). Code for Abatement of Dangerous Buildings – YMC 15.05; f). Energy Code – YMC 15.10; g). Flood Damage Prevention - YMC 15.15; h). Environmental Codes – YMC 16; i). Yacolt's Engineering Standards for Public Construction, (see, YMC 13.25); j). Codes regulating the zoning, use and division of lands – YMC 17-18; and, k). Yacolt's Comprehensive Plan, (as amended).

Section 6 – Changes to the Yacolt Building Code and Vesting of Rights.

Section 6.1 - Changes to Preemptive Authority. The list of relevant authorities and Building Code components provided in Section 5 above is not a complete list of the laws and rules that govern and influence Yacolt's Building Department procedures. In addition, the authorities listed may not represent a current list of all applicable laws and rules because the relevant statutes, codes and regulations are frequently amended and changed. The Town is obligated to enforce the laws, codes and regulations as written and as of the times they become effective. Therefore, at any given time, the Town's ordinances, resolutions, and Municipal Code may not describe a complete or current list of the laws, codes and regulations that are in effect and applicable to building activities within the Town at the time a Building Permit application is filed.

Section 6.2 - Changes to Local Authority. Whenever a reference is made in this Resolution to the Yacolt Building Code, the Yacolt Municipal Code, or to any ordinance or resolution of the Town, the reference shall include and apply to all amendments, corrections and additions heretofore, now, or hereafter made. This sub-section shall not affect the vesting rights of Building Permit applicants.

Section 7 - Definitions. For the purpose of interpreting the Yacolt Building Code, certain words or phrases used herein shall be interpreted as defined in this Section.

Section 7.1 - Building Code. The term “Building Code” or “Yacolt Building Code” shall mean all laws, codes and regulations that govern the Town of Yacolt with respect to its Building Department functions, including the components of legal authority described in Section 5 above.

Section 7.2 - Building Department. “Building Department” means the Building Department of the Town of Yacolt.

Section 7.3 - Building Official. The term “Building Official” shall mean and include the person authorized and directed by the Town Council to administer and enforce the Yacolt Building Code. The Building Official shall manage the Town’s Building Department, which shall receive applications, review construction documents, and issue Building Permits for the construction, alteration, demolition, relocation, or changed use of buildings and structures, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of the Yacolt Building Code. The Building Official shall have the authority to render interpretations of the Yacolt Building Code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall comply with the terms, intent and purpose of the Yacolt Building Code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in the Building Code. The Building Official may delegate authority as deemed necessary or beneficial to the purposes of the Building Code. The Building Official may hire or use the services of the Town’s staff, consultants, inspectors, plan examiners, technical experts, and other employees and agents as deemed necessary to evaluate the issues that arise in a given application.

Section 7.4 - Building Permit. The term “Building Permit” means an official document or certificate issued by the Building Official that authorizes performance of any activity regulated by the Yacolt Building Code. The term “Building Permit” does not include development or zoning permits issued pursuant to Title 18 of the Yacolt Municipal Code, environmental or critical areas permits issued pursuant to Title 16 of the Yacolt Municipal Code, or other development permits issued pursuant to any other source of legal authority.

Section 7.5 - Owner. The word “Owner” means any person, agent, firm or corporation which holds the fee title to real property or which holds a valid purchaser’s contract for the purchase of real property which is filed for record with the auditor of Clark County, Washington.

Section 7.6 - Town. The word “Town” means the Town of Yacolt.

Section 8 - Designation of Building Official. The Mayor of the Town of Yacolt is hereby designated as the Town’s Building Official.

Section 9 - Building Permits.

Section 9.1 - Permits Required. Any Owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the use or occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this Building Code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permit.

Section 9.2 - Application for Permit. To obtain a Building Permit, an applicant shall first file an application in writing on one or more forms furnished by the Building Department for that purpose. The application shall:

- 9.2.1 Identify and describe the work to be covered by the Building Permit for which application is made;
- 9.2.2 Describe the land on which the proposed work is to be done by legal description, street address and/or similar description that will readily identify and definitely locate the proposed building or work;
- 9.2.3 Indicate the use and occupancy for which the proposed work is intended;
- 9.2.4 Be accompanied by a site plan, construction documents, and other submittals and information as required by the Building Official;
- 9.2.5 State the total value of the proposed work including materials and labor;
- 9.2.6 Be signed by the Owner(s), and all other applicable and authorized agents of the Owner;
- 9.2.7 Provide for the contractual responsibility of the Owner or other applicant for the payment of the Town's reasonable and actual costs to process the application and Building Permit;
- 9.2.8 For any project requiring review by Clark County Public Health pursuant to YMC 18, include application materials and approval information from Clark County Public Health;
- 9.2.9 Provide proof of potable water availability pursuant to RCW 19.27.097 for any structure containing or requiring potable water;
- 9.2.10 When requested by the Town Engineer, include a complete drainage worksheet for the project;
- 9.2.11 When requested by the Town Engineer, include a complete road approach application;
- 9.2.12 Provide a complete application for any land use, zoning, development or environmental permit when required pursuant to the Yacolt Municipal Code or applicable Washington State statute; and,
- 9.2.13 Provide such other data and information as required by the Building Official.

Section 9.3 - Action on Application. The Building Official shall examine or cause to be examined applications for Building Permits and amendments thereto within a reasonable time after filing. The Building Official shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the Building Code and other pertinent laws. Once the application is processed, the Building Official shall, pursuant to the terms of this subsection, either (1). issue an administrative decision on the application, or (2). prepare the

application materials and the Building Official's report on the application for presentation to the Town Council for a decision on the application at the Council's next regular meeting or any special meeting called for that purpose.

9.3.1 Building Permit Decisions by the Building Official. Unless Town Council review is required under sub-section 9.3.2 below, the Building Official may administratively approve, approve with conditions, or deny a Building Permit application in the following circumstances:

9.3.1.1 Consultant Approval. When a complete Building Permit application has been reviewed by the Town's Building Department consultants as identified in this sub-section, and the consultants have all responded in writing to the Building Official with a consensus as to the disposition of the application. The Building Department consultants from whom responses are required include (1). the Town Building Inspector, (for plan review, site plan review, and preliminary site inspections, if needed); (2). the Town Engineer, (for review of the site plan and for potential applicability of planning, environmental, and engineering standards relating to development activities affecting public property); (3). the Town Attorney, (for general review of the Yacolt Building Code, Yacolt Municipal Code, and other legal authority as may appear relevant to the application); and (4) any additional technical consultant retained during the process of evaluating the Building Permit application. A determination that a consultant's review is not necessary under the Yacolt Building Code shall be made by the consultant and provided to the Building Official in writing.

9.3.1.2 Express Approval. In the limited cases described in this sub-section, the Building Official may render a final decision on a Building Permit application without following the consultant review procedure described in Section 9.3.1.1 above. Nothing in this sub-section shall prevent the Building Official from seeking additional consultant review when in the Building Official's discretion such further review by one of more consultants is appropriate or necessary to satisfy the duties and responsibilities of the Building Department. Nothing in this sub-section shall prevent the Building Official from seeking additional review, release or approval by an outside agency when such review, release or approval is required by law or otherwise deemed necessary in the opinion of the Building Official. (Examples include, without limitation, construction and development releases by the Clark County Public Health Department and the Southwest Clear Air Agency.)

Building Permit applications qualifying for express approval under this sub-section shall be limited to the following cases:

9.3.1.2.1 The Repair or Replacement of Existing Building Fixture(s) or Equipment. For Building Permit applications that qualify under this sub-section, the Building Official may render an administrative decision on an application subject to the satisfaction and approval of the Building Official only.

Examples of qualifying applications include, without limitation, applications for the repair or replacement of a water heater, furnace, other HVAC components, plumbing fixtures, electrical fixtures, and similar building components.

9.3.1.2.2 The Repair or Replacement of Existing Building Element(s). For Building Permit applications that qualify under this sub-section, the Building Official may render an administrative decision on an application subject to the approval and satisfaction of any conditions described by the Town's building inspector and/or plan review specialist. Examples of qualifying applications include, without limitation, applications for the repair or replacement of a roof, windows and doors, insulation, interior walls, and solar panels.

9.3.1.2.3 The Addition of Fixtures, Equipment or Other Building Elements. For Building Permit applications that qualify under this sub-section, the Building Official may render an administrative decision on an application subject to the approval and satisfaction of any conditions described by the Town's building inspector and/or plan review specialist. Examples of qualifying applications include, without limitation, applications for the addition to an existing structure of a new water heater, furnace, other HVAC components, plumbing fixtures, electrical fixtures, windows and doors, insulation, interior walls, and solar panels. To qualify for an administrative decision under this sub-section, such addition may not increase the footprint, height, size, bedroom count, bathroom count, or occupancy of the existing structure.

9.3.1.2.4 The Installation or Replacement of Any Fence Subject to YMC 18.80. For Building Permit applications that qualify under this sub-section, the Building Official may render an administrative decision on an application subject to the satisfaction and approval of the Building Official only.

9.3.1.2.5 The Demolition of a Structure. For applications to demolish a structure for which a Building Permit would be required to construct, the Building Official may render an administrative decision on the application subject to the satisfaction and approval of the Building Official only.

9.3.1.3 Emergency Construction. The Building Official may authorize emergency construction pursuant to the requirements of YMC 18.100.030.

9.3.2 Building Permit Decisions by the Town Council. The Town Council will review and approve, approve with conditions, or deny a Building Permit application in the following circumstances:

- 9.3.2.1 Consolidated Applications. When the Building Permit application is associated with a zoning, land use, development, environmental, or similar permit application and where the applications have been consolidated for simultaneous review and processing;
- 9.3.2.2 Conditions for Consultant Approval are Unsatisfied. For Building Permit applications subject to approval under sub-section 9.3.1.1, when the Building Official is unable to obtain the written consensus of the applicable consultants as to the disposition of the Building Permit application or conditions relating to the application, or otherwise satisfy the conditions of that sub-section.
- 9.3.2.3 Applicant's Request. When initial review by the Town Council is requested in writing by the Building Permit applicant prior to any material administrative decision on the application by the Building Official;
- 9.3.2.4 Building Official's Discretion. When the Building Official is unavailable or declines for any reason, in the Building Official's discretion, to make an administrative decision on the application;
- 9.3.2.5 Appeal of the Building Official's Decision. When the Building Official denies a Building Permit application in writing and the Building Permit applicant requests in writing to appeal the Building Official's decision before the Town Council. Any request for appeal to the Town Council must be made in writing and received by the Town within twenty (20) calendar days of the Building Official's written decision. The appeal shall be heard by the Town Council within 45 days of receipt by the Town of the request for appeal. The appeal shall be heard at a regular meeting of the Town Council or at a special meeting called for this purpose. The appeal hearing shall be conducted pursuant to procedures determined by the Town Council; and,
- 9.3.2.6 Other Circumstances. In all circumstances not otherwise described in this Sub-section 9.3.
- 9.3.3 Decision Standards. If the Building Permit application or the construction documents do not conform to the requirements of the Yacolt Building Code or other applicable laws, the Building Official or Town Council shall reject such application in writing, stating the reasons therefor. If the Building Official or Town Council is satisfied that the proposed work conforms to the requirements of the Yacolt Building Code and other applicable laws, the Building Official shall issue a permit therefor as soon as practicable.
- 9.3.4 Additional Authority of the Building Official. Where practical difficulties adversely impact the Building Official in carrying out the provisions of this Resolution, the Building Official shall have the authority to grant modifications in individual cases upon application of the Owner or Owner's representative. A requested modification may be granted only when the following conditions are satisfied: (1). The Building Official must find that extraordinary and unique reasons make following the strict letter of these procedures impractical; (2). The Building Official must find that the

modification is in compliance with the intent and purpose of this Resolution; and (3). The Building Official must find that such modification does not diminish the health, accessibility, life and fire safety, or structural requirements of the Yacolt Building Code. The details of any action granting a modification under this sub-section shall be recorded and entered in the files of the Building Department.

Section 9.4 - Building Permit Fees / Cost Recovery Agreements. The Building Official is directed to adopt policies and procedures to provide for the contractual responsibility of property Owners and/or other Building Permit applicant(s) for the payment of the Town's reasonable and actual costs to process Building Permit applications and Building Permits as authorized by RCW 82.02.020.

Section 9.5 - Inspections. Construction or work for which a Building Permit is required shall be subject to inspection(s) by the Building Official and such construction or work shall remain accessible and exposed for inspection purposes until approved. A final inspection shall in most cases be made after all work required by the Building Permit is completed.

Section 9.6 - Final Approvals.

- 9.6.1 Final Approvals - Generally. The Building Official shall ensure that a final inspection and approval is issued for all appropriate projects for which a Building Permit has been issued, including, without limitation, for all buildings, structures, appurtenances and building service equipment when completed and ready for occupancy or use.
- 9.6.2 Certificate of Occupancy. A building or structure shall not be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy for the work.
- 9.6.3 Building Code Violations. The issuance of a certificate of occupancy or other final approval document shall not be construed as an approval of a violation of the provisions of the Building Code or other laws of the Town.
- 9.6.4 Exceptions to Final Approval Requirements. Final approvals are not required for work that is exempt from the Building Code's permitting requirements. The Building Official may determine that formal approval documents are not required for particular Building Permits if the interpretation is supported by the Building Code and the reasons for the interpretation are made part of the project file.

Section 10 - Disclaimer of the Town's Liability. This Resolution and its provisions are adopted with the express intent to protect the health, safety, and welfare of the general public, and are not intended to protect or benefit any particular individual, organization, or class of individuals or organizations. Nothing contained in this Resolution or the Yacolt Building Code is intended nor shall be construed to create or form the basis of any liability on the part of the Town of Yacolt or its officers, employees or agents for any injury or damage resulting from any action or inaction on the part of the Town related in any manner to the enforcement of the Yacolt Building Code by its officers, employees or agents. The Town is not responsible for the accuracy of preliminary or final plans or other construction documents submitted for approval to the Building Department. The Town does not guarantee that plan review and/or inspections will detect any hazard, design defect or Building Code violation.

Section 11 - Responsibilities of Applicants. Applicants for Building Permits are responsible, without limitation, for the following:

Section 11.1 - Verification of Property Lines and Setbacks. Building Permit applicants or their authorized agent(s) shall be solely responsible for the verification of all property lines and setbacks in all cases involving new construction; a remodel or addition which would change the footprint of an existing structure; the construction of new fences or the replacement of existing fences; and all other circumstances which may impact setback requirements and/or property lines between one or more legal lots or parcels. The Building Official may require verification of property lines and setbacks prior to the issuance of a Building Permit by having the property Owner or the property Owner's agent stake the corners of the property. The Building Official is authorized to require the property Owner or the property Owner's agent to provide a survey of the property by a professional land surveyor licensed by the State of Washington.

Section 11.2 - Compliance with the Building Code and Other Town Regulations. The express intent of the Town of Yacolt is that the responsibility for compliance with the provisions of the Yacolt Building Code shall rest with Building Permit applicants and their agents, and all persons and entities engaged in activities affecting buildings or structures that are subject to regulation under the Yacolt Building Code.

Section 12 - Violations. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish, use or occupy any building, structure or equipment regulated by the Yacolt Building Code, or cause the same to be done, in conflict with or in violation of any of the provisions of the Yacolt Building Code.

Section 13 - Building Code Enforcement. Building Permit applications and projects that do not conform to the standards outlined in the Yacolt Building Code shall be subject to the denial of a Building Permit, an order to stop work on the project, or the withholding of a certificate of occupancy and other approvals until the building or structure is brought into compliance. Violations of the Yacolt Building Code shall also be subject to enforcement measures described in the Yacolt Municipal Code, and to any and all other rights and remedies available to the Town under the law. Rights and remedies available to the Town for violations are cumulative and are not exclusive of any rights or remedies otherwise provided or allowed by law to the Town.

Section 14 - Effect of Repeal. The repeal of a resolution shall not repeal the repealing clause of such resolution or revive any resolution or ordinance which has been repealed thereby.

Section 15 - Savings Clause. All terms of Resolution #607 shall remain in full force and effect until the Effective Date of this Resolution.

Section 16 - Ratification and Confirmation of Prior Acts. Any actions of the Town Council and of the Town's Mayor, officers and agents prior to the date of this Resolution and consistent with and in furtherance of the purpose or intent of the terms of this Resolution are hereby ratified and confirmed by the Town Council.

Section 17 - Gender and Number. As used in this Resolution, where applicable, references to the singular shall include the plural and references to the plural shall include the singular; words referring to the masculine gender shall include the feminine and the neuter, and vice versa in each case; and words referring to persons shall include bodies of persons whether corporate or unincorporated.

Section 18 - Section Headings. Section and sub-section headings contained in this Resolution shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any section or part of this Resolution.

Section 19 - Severability and Construction: If any section, sub-section, paragraph, sentence, clause, or phrase of this Resolution is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, or its application to any person or circumstances is held invalid, the remaining portion of this Resolution shall remain in full force and effect, and the application of the provision to other persons or circumstances shall not be affected. If any provision of this Resolution is found to be inconsistent with provisions of the Yacolt Municipal Code, this Resolution is deemed to control.

Section 20 - Instructions to the Clerk: The Town Clerk shall:

Section 20.1 – Notice in the Town’s Official Newspaper. Cause notice of the adoption of this Resolution to be published forthwith in the Town’s official newspaper pursuant to Section 21 below; and,

Section 20.2 – Notice on Town’s Website. Promptly post a copy of this Resolution on the Town’s website for public inspection.

Section 21 - Effective Date. This Resolution shall take effect immediately upon adoption by the Town Council in accordance with law. The Town Clerk is directed to publish notice of the adoption of this Resolution in the Town’s official newspaper by publishing the following summary:

Town of Yacolt - Summary of Resolution #632


The Town Council of the Town of Yacolt adopted Resolution #632 at a regular meeting of the Town Council held on April 14, 2025. The content of the Resolution is summarized in its title as follows: “A Resolution of the Town Council of the Town of Yacolt, Washington, Repealing and Replacing Resolution #607 to Update Building Permit Regulations by Adding Procedures for Express Permit Approvals in Specified Circumstances”.

The effective date of the Resolution is April 14, 2025. A copy of the full text of the Resolution will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 23rd day of April, 2025.
Yacolt Town Clerk.

Resolved by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 14th day of April, 2025.

TOWN OF YACOLT




Ian C. Shealy, Mayor

Attest:


Stephanie Fields, Town Clerk

Approved as to Form:



David W. Ridenour, Town Attorney

Ayes: Carothers, Peto, Russell, Viray
Nays: Ø
Absent: Carroll
Abstain: Ø

TOWN CLERK'S CERTIFICATION

I hereby certify that the foregoing Resolution is a true and correct copy of Resolution #632 of the Town of Yacolt, Washington, entitled "A Resolution of the Town Council of the Town of Yacolt, Washington, Repealing and Replacing Resolution #607 to Update Building Permit Regulations by Adding Procedures for Express Permit Approvals in Specified Circumstances" as approved according to law by the Yacolt Town Council on the date therein mentioned.

Attest:


Stephanie Fields, Town Clerk

Published: April 23, 2025
Effective Date: April 14, 2025
Resolution Number: 632