



Building Amnesty Program

Bulletin # 66

Department of Planning and Land Services, October 1, 2009

What is a Building Amnesty Program?

This is an opportunity for property owners to apply for building permits for buildings, additions, and remodels not previously permitted. The benefits include:

1. No building permit penalty fee.
2. Use the building code in effect at the time of construction.
3. No Civil Penalties assessed for site development work.
4. Removal of a Certificate of Non-Compliance on a parcel.
5. Assignment of a staff member to facilitate the application process.

What is eligible for the Building Amnesty Program?

The Building Amnesty Program will allow undocumented construction work or an undocumented commercial occupancy within unincorporated Pierce County to be approved by the County. Anyone who voluntarily applies to the Building Amnesty Program prior to September 30, 2012 may have the undocumented construction or occupancy at their property recognized by the County provided that the work and materials comply with all minimum program requirements.

This program is only available for uses allowed within the zoning classification for the parcel. For an example, an auto repair shop, built illegally, in a residential neighborhood would not be able to obtain zoning approval through this process.

Am I guaranteed to get a building permit if I participate in the Amnesty Program?

Participation in the amnesty program is not a guarantee that a building permit will be issued or finalized. There are many reasons why a building permit may not be issued or finalized such as incomplete application materials, failed inspections, or the existence of federal, state, or local regulations that require the acquisition of additional permits or that prohibit the development activity. These issues need to be addressed during the application review process.

What if I am currently under construction?

The program is designed to assist property owners where the work was completed prior to the beginning of the program. If work is currently under way or was started after October 1, 2009, building permit investigation fees will apply.

Can I apply if I was previously posted with a violation?

Yes. However, any previously assessed penalty fee and or recording fee must be paid.

Is the County looking for undocumented construction and occupancies?

Yes, we are using some state of the art GIS tools to compare aerial photos. Also, Building Amnesty Program Inspectors will be performing neighborhood inspections and identifying undocumented construction and business occupancies (Tenant Improvements) created since January 1, 2005. Building Amnesty Program information will be distributed to owners and tenants in conjunction with this effort. If your building or business was established prior to January 1, 2005 you may still apply for the program.

What is undocumented construction work?

Undocumented construction work is any construction work done to a property for which no County building permit was obtained or for which no building permit records exist. This includes large jobs such as new structures, room additions, remodels or small jobs such as decks or garage/storage buildings over 200 square feet in area. This also includes additional undocumented dwelling units and businesses without a Tenant Improvement permit.

What Is An Undocumented Commercial Occupancy?

A business is required to have a Certificate of Occupancy (CO). A CO is issued as the result of a building permit for a new structure or a tenant improvement permit. A Tenant Improvement Permit is needed for the creation of a new tenant, space, or the remodel/alteration of a space within an existing building. Plans are submitted and reviewed for applicable code requirements, a permit is then issued to do the work shown on the plans, and when the work has been completed and inspected a Certificate of Occupancy is issued for the tenant. See Bulletins 26 & 27 for additional information on tenant improvement permits.

What development regulations must be complied with?

It will be necessary for the undocumented construction to comply with all current Federal, State, and Local Codes. However, we will use the Building Code regulations in effect at the time of original construction. The first step in the Building Amnesty Program application process is establishment of the date of the undocumented construction or occupancy. Through a combination of physical inspection and review of available evidence, the Building Official will establish the presumed date of construction or occupancy.

Flood plain and other critical area regulations will be part of this review. Electrical permits from Tacoma Power or the State Department of Labor and Industries (L&I) would be required for any electrical work. Sewer connection or Septic remodel permits may also be required.

Will the County need to perform any inspections as part of the program enrollment process?

Yes, a major part of the program will be inspection of the undocumented construction by a County Inspector to determine whether any health or life safety violations exist which need to be corrected. The property owner must consent to inspection as a condition of participating in the program.

How quickly must I take action?

The voluntary portion of the program is open for 3 years. Anyone can voluntarily apply to the Building Amnesty Program prior to September 30, 2012.

Once we have notified you of an unpermitted structure you must start the Amnesty Application process within **six (6) weeks**.

Health and life safety violations will be required to be corrected within **thirty (30)** days of the health & safety inspection described in the application process. All necessary Building Permits must be obtained for any other work necessary to legalize the undocumented construction within **one year** from the program enrollment date. All necessary construction must be completed within one year from the date that Building Permits are issued.

Note: If a Land Use Action is required (such as a Conditional Use permit, Wetland Mitigation, critical Area Review, or a Variance) it may take longer than a year to receive the necessary approvals.

Is it possible to "BACK OUT" of the program?

It would be possible to "back out" of the program prior to the time that the undocumented construction is inspected by the County to determine whether there are any health or safety violations which required correction. Potential program applicants are encouraged to participate in pre-qualification conferences/discussions with County staff to educate and inform themselves of their rights and obligations once they enroll into the program so that they can make informed decisions.

In addition to losing some of the program benefits additional penalties may apply.

What if I bought a property with an undocumented structure?

You are now responsible to obtain the needed permits. This program offers the most cost efficient way to get the required permits and document all structures on the site.

How do I check a parcel for building permits?

Go to our web page at www.piercecountywa.org/PALS . In the upper right corner is a link to Online Permit Info. Under the heading **Applications/Permits** a drop down menu will offer Application/Permit Lookup as the first choice. Use address or parcel number to search for permits. The information in this search contains permit history between 1986 and today. For permits between 1962 and 1986 please call 253-798-3739 and request assistance.

What happens if I don't take advantage of the Amnesty program?

When construction work has been performed without the required permits an investigation fee is added to the cost of the permit. The investigation fee is equal to the building permit fee with a minimum of \$250. If a property owner has been made aware of a violation and takes no action to obtain permits additional penalties may be imposed.

In some cases a Certificate of Non-Compliance is recorded on the property title. This cloud on the title shows up on title reports during a re-finance or property sale. In most cases lenders and buyers want these removed prior to closing. Lastly, civil penalties may be issued. These impose a financial penalty in addition to the investigation fee noted above.

Will any permit fees or development fees need to be paid as part of the Building Amnesty Program?

Yes, all current County permit and applicable impact fees must be paid. However, anyone who voluntarily enrolls in the Building Amnesty Program would be exempt from the building permit investigation fee. The investigation fee is equal to the building permit fee with a minimum of \$250.

Will it be necessary to prepare any building plans?

In most cases a detailed site plan will be required. It may be necessary to prepare some construction plans, however, it may not be necessary to prepare detailed architectural plans. The County is willing to accept photographs and simple sketches in lieu of full architectural plans in certain instances. County Building Inspectors will also assist by performing inspections to identify any health or safety violations which would need to be corrected.

What happens if a property is sold after enrollment in the program?

Prior to any property sale or transfer of title, the seller would need to transfer the Building Permits to the new owner. The new owner would then be responsible for completion of all necessary correction work.

How will this affect the assessed value of my property?

The assessed value of your property should only be impacted, to the extent this newly discovered improvement has affected its market value. Otherwise, you might see no changes at all. An appraiser from the Assessor's office will have to make that determination. You may call their office directly at 253-798-6111.

How do I get started?

Obtain the building permit history for your parcel from our on-line permit web page. www.piercecountywa.org/pals See page 4 for additional search information. If you do not have internet access call 253-798-3739.

If County records do not agree with the current conditions at the property (number of buildings or the use on the property) the owner/applicant has an obligation to do all of the following:

Call 253-798-3739 to schedule an appointment to verify your County records search and review application requirements. **OR;**

Go to our website and make your application. www.piercecountywa.org/pals If you don't have internet access, call 253-798-3739 to schedule an appointment to file an Amnesty Application. The fee is \$100. You will need the Amnesty application form completed and a site plan. Include a floor plan for non residential tenant improvements.

What happens next?

When we review your application we will contact you to set a mutually agreeable date and time for a County Building Inspector to conduct an inspection of the subject property to:

- determine the date of construction if not clear from records,
- identify all building related health & safety violations issues which need to be resolved in order to proceed with the permit process.

Within 10-days following the inspection, you will be provided with written inspection reports and a "Submittal Standard" which will identify necessary building and any other development or land use permits or approvals needed in order for the subject undocumented construction to be recognized by the County.

What is expected of me?

The building inspection report will identify milestone deadlines for the various issues. You will need to eliminate all identified building related health & safety violations within 30-days from the date they are identified by County Inspector.

Apply for and obtain all necessary Building Permits and Planning Permits/Approvals (Design Review, Use Permit, Variance, Wetland Review, etc.) within one year.



Building Amnesty Application

Planning and Land Services Department

Site address _____ Parcel No. _____
 Property Owner: _____ Address: _____
 Applicant _____ Address: _____
 Contact name _____ E-mail address: _____
 Contact phone no. _____ Fax number: _____
 Contractor _____ Lic. # _____
 Architect _____ Engineer: _____

Building Use: _____ New Building Addition Remodel /
 Tenant

Number of Stories: _____ Bldg. Height _____ Floor Area _____sf

Description of work:

_____ Year Built: _____

New/change to Plumbing or Mechanical **Yes** **No**, Air conditioning **Yes** **No**

Power Company: _____ Public Water Co.: _____

Heating/cooling system: Electric Forced Air Heat pump

Cadet/Baseboard Gas/Oil Boiler Radiant

Sewage disposal: **Septic** **Sewer**

I hereby certify that the above information is correct to the best of my knowledge. Any changes will be reported to the Pierce County Development Center immediately.

Signature _____ Date: _____

Owner/Agent

Site Plan Example

Legend

- A Parcel line/boundary
- B Parcel line length (all sides & segments)
- C Break Line
- D Easement boundary
- E Natural Buffer Area boundary
- F Street name
- G Drainage course
- H Contour line (at 2' intervals)
- I Footprint of existing residence
- J Footprint of proposed residence
- K Drip/eave line
- L Deck footprint
- M Building dimensions (all sides)
- N Distance between property lines and all proposed structures
- O Septic tank
- P Septic drainfield with setback distances (from residence and property lines)
- Q Reserve/secondary drainfield area
- R Existing building
- S Proposed addition
- T Dimensions of proposed addition (all sides)
- U Fuel tank
- V North arrow
- W Scale indicator (Engineer's scale)
- X Site/parcel address
- Y Parcel number
- Z Property owner

