

COMMISSIONERS' PROCEEDINGS

Adams County Courthouse
Ritzville, Washington
Regular Meeting

April 21, 2026 – 9:00 a.m.
(Tuesday)

Call to Order

Chairman Blankenship called the meeting to order.

Present:

Chairman Dan C. Blankenship
Vice-Chairman Miguel A. Garza
Commissioner Jay R. Weise

Pledge of Allegiance

Chairman Blankenship led the Pledge of Allegiance.

Public Comment – None

Approval/Addition of Agenda

Commissioner Garza moved, Weise seconded, to *approve the agenda as presented*. **Motion carried.**

Consent Agenda

Commissioner Weise moved, Garza seconded, to *approve the consent agenda as presented*. **Motion carried.**

Minutes

Approve April 7 and 8, 2026 Preliminary Minutes

Vouchers

Approve Vouchers audited and certified by the Adams County Auditor as required by RCW 42.24.080, and those expense reimbursement claims certified as required by RCW 42.24.090 and recorded on a listing, which was made available to the Board. These vouchers were listed as follows:

<u>Fund</u>	<u>Amount</u>
001	\$ 18,990.43

001 Hand Pay	\$ 24.87
104	\$ 14,824.65
112	\$ 1,466.15
123	\$ 50.00
108	\$ 3,666.25
115	\$242,173.11
321	\$ 200.00
401	\$ 88,959.00
402	\$ 4,870.58
501	\$ 6,139.34
590	\$ 73,850.16
TOTAL	\$455,214.54

Inventory Disposal

County Clerk

Approve County Clerk Request to Dispose of Inventory items #1768 (file cabinet), #1791 (file cabinet), and #1755 (coat rack)

Board Updates

Commissioner Garza had no activities to report.

Commissioner Blankenship reported working on the ARPA annual report.

Commissioner Weise reported working on collective bargaining contracts.

Correspondence

Chris Moore, Executive Director, Historic County Courthouse Grant Program re: 2027-2029 Application Cycle

Board Discussion/Decision Items

Human Resources

Manager Campbell was not available for her scheduled appointment.

Public Works

Interim Director Yaeger and Assistant Director Reynolds provided the weekly update on maintenance, solid waste, and road projects.

Othello Communications Tower

A single HVAC unit caught fire at the Othello communications tower Monday, April 20, 2026. The fire extinguished itself. Apollo is preparing costs and availability of HVAC units.

Gottlieb Hille Bridge #197-1 Project (CRP-202)

Based on the recommendation of the Public Works Department, Commissioner Weise moved, Garza seconded, to *authorize the chairman to award the Gottlieb Hille Bridge Project (CRP-202) to the lowest responsible bidder, Gonzalez Underground, LLC, Davenport, Washington, for the bid amount of \$781,953.50; and, approve the Chairman sign the Concurrence to Award.* **Motion carried unanimously.** The bid is 66.9% of the engineer's estimate of \$1,169,020.60.

Cunningham Road Federal Functional Classification Change Request

Engineer Yaeger reported the Engineering Department believes it necessary to request that the Washington State Department of Transportation change the Cunningham Road Federal Functional Class from 07 Major Collector to a 17 Urban Major Collector from Taylor Road (M.P. 1.00) to Othello city limits (M.P. 1.77) for a length of 0.77 miles. The FCC change for the Cunningham Road #12362 from an FCC 07 to an FCC 17 is due to Othello growth and will provide FFC 17 continuity from Othello's Main Street to Taylor Road.

Commissioner Garza moved, Weise seconded, to *approve the Chairman sign a letter to Washington State Department of Transportation, Local Programs, to submit a change request of the Federal Functional Classification (FFC) for Cunningham Road #12362 (MP 1.00 – 1.77) Existing FFC 07 to Proposed FFC 17.* **Motion carried unanimously.**

Adams County Farm Lease

An intent to lease Adams County farm ground was advertised appropriately and bids were set to be opened March 24, 2026. The county did not receive any bids. The Board provided **consensus authorization for the Public Works Department to prepare a notice to re-advertise for bids for the lease of county owned farm ground.**

Executive Session

At 10:57 a.m. Chairman Blankenship announced the Board would recess into Executive Session for twenty-eight (28) minutes under RCW 42.30.110(1)(i) – “To discuss with legal counsel representing the agency matters relating to agency enforcement actions, or to discuss with legal counsel representing the agency litigation or potential litigation...”. No action is anticipated. Prosecutor Flyckt was present.

At 11:25 a.m. the Board reconvened from Executive Session. No action was taken.

Resolution No. R-015-2026

Commissioner Garza moved, Weise seconded, to approve ***Resolution No. R-015-2026 In the Matter of Tax Levies Certification for 2026 and County Population Certification as of April 1, 2025.*** Motion carried unanimously.

Ordinance No. O-01-2026

Commissioner Garza moved, Weise seconded, to approve ***Ordinance No. O-01-2026 – An Ordinance of Adams County, Washington, Amending Chapters 15.04.010, 15.06.015, and Adding New Chapters 15.20 and 15.30 of Title 15 and Amending Sections 14.30.020, 14.30.70, 14.60.10, 14.80.050 of Title 14.*** Motion carried unanimously.

Other Business – None

Permanent Minutes Signed

March 24 and 25, 2026

Adjournment @ 11:50 a.m.

Submitted:

s/Patricia J. Phillips, CMC

Clerk of the Board

Edited and Approved:

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Dan C. Blankenship, Chairman
s/Miguel A. Garza, Vice-Chairman
s/Jay R. Weise, Commissioner

RESOLUTION NO. R-015-2026

**ORDER OF BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON**

**IN THE MATTER OF TAX LEVIES CERTIFICATION FOR 2026 AND COUNTY
POPULATION CERTIFICATION AS OF APRIL 1, 2025**

WHEREAS, the attached document stipulates levy requests provided to the Board of County Commissioners for collection in 2026;

THEREFORE BE IT HEREBY RESOLVED that the attached tax levies are certified to the Adams County Assessor; and,

BE IT FURTHER RESOLVED that Adams County population is hereby certified at 21,550 as of April 1, 2025 as transmitted by the Office of Financial Management, Olympia, Washington.

DATED this 21st day of April, 2026.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Dan C. Blankenship, Chairman
s/Miguel A. Garza, Vice-Chairman
s/Jay R. Weise, Commissioner

ATTEST:
s/Patricia J. Phillips, CMC
Clerk of the Board

ORDINANCE NO. O-01-2026

AN ORDINANCE OF ADAMS COUNTY, WASHINGTON, AMENDING CHAPTERS 15.04.010, 15.06.015, AND ADDING NEW CHAPTERS 15.20 AND 15.30 OF TITLE 15 AND AMENDING SECTIONS 14.30.020, 14.30.70, 14.60.10, 14.80.050 OF TITLE 14.

WHEREAS the State legislature has established the Washington State Building Code as set forth in RCW 19.27.031 and directed the State Building Code Council to adopt and maintain the Washington State Building Code; and

WHEREAS, the Adams County Board of Commissioners have previously adopted Building and Fire Prevention codes by reference to protect the health, safety, and welfare of the citizens as set forth in Adams County Code Title 15 and Title 14; and

WHEREAS, it is necessary for Adams County, as a smaller jurisdiction, to amend certain administrative sections of the State Building Code(s) to effectively administer the State Building Code Standards for the unincorporated areas of Adams County; and

WHEREAS RCW 19.27.040 authorizes the Adams County Board of Commissioners to amend the State Building Code, as it applies within the unincorporated areas of Adams County, insomuch as they maintain the minimum performance standards and objectives of RCW 19.27.020, and if such changes affect single-family or multifamily residential buildings, such changes shall require prior approval of the building code council under RCW 19.27.074 (1) (b); and

WHEREAS the Board of County Commissioners held a public hearing on the proposed ordinance on March 10, 2026, at which time they accepted and considered public comments on the proposed changes to ACC Title 15 and ACC Title 14.

NOW, THEREFORE, the Adams County Board of Commissioners, Washington do ordain as follows:

SECTION I

Sections 15.04.010, 15.06.010, 15.06.015 and new Chapter 15.20 of the Adams County Code (ACC) is amended, to read as follows:

15.04.010 Adoption of Building Codes

All building and building-related codes as currently adopted, or as shall be adopted in future enactments by the State of Washington pursuant to the Revised Code of Washington (RCW) 19.27.031, together with all amendments as currently enacted, or as shall be enacted by the State of Washington, are hereby adopted as, and are herein referred to as, the building codes for Adams County; provided, that all additions, deletions, and amendments as set forth in this title are also adopted.

For reference purposes only, the current building codes adopted by Adams County consist of the following:

- A. International Building Code as published by the International Code Council, Inc. and as amended by the State of Washington, together with Appendix J “Grading”, and Appendix E “Supplementary Access, and together with ICC/ANSI A117.1.
- B. International Fire Code as published by the International Code Council, INC and as amended by the State of Washington, together with Appendices B, C, D, as now, or hereafter amended.
- C. International Residential Code as published by the International Code Council, Inc. and as amended by the State of Washington, together with Appendix AF, Radon Control Methods, Appendix AQ, Tiny Homes, and Appendix BC Accessory Dwelling Units (ADU; except for Chapters 11 and 25 through 43, which are not adopted.
- D. International Mechanical Code as published by the International Code Council, Inc. and as amended by the State of Washington, 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).
- E. International Fuel Gas Code as published by the International Code Council, Inc. and as amended by the State of Washington.
- F. Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, Inc. and as amended by the State of Washington, together with Appendices A, B, I and M. Provided that Chapters 12 and 14 of this code are not adopted. Further, those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances, as found in chapter 5, and those portions of the code addressing building sewers are not adopted.
- G. Washington State Energy Code, WAC 51-11C and WAC 51-11R, latest state-adopted edition.
- H. International Swimming Pool, Spa and Spa Code as published by the International Code Council, Inc. and as amended by the State of Washington.
- I. International Existing Building Code, as published by the International Code Council, Inc. and as amended by the State of Washington.
- J. Portions of the International Wildland Urban Interface Code, published by the International Code Council Inc. as adopted by the State of Washington. Portions of the International Property Maintenance Code, published by the International Code Council and as amended by Adams County in Chapter 15.20.

15.06.010 Administration of Permits

In accordance with RCW 19.27.040, Adams County is authorized to amend the state building code as it applies within the jurisdiction of Adams County. The following sections of the International Building Code Chapter 1 and the International Residential Code Chapter 1 are hereby replaced with the following additional provisions, deletions, and exceptions. The intent and meaning of the following amendments to Chapter 1 of the IBC or IRC shall apply. In the event of conflict between this chapter and the state adopted reference code, as long as this code meets or exceeds the minimum standards and objectives of the State code, this code shall govern. These provisions shall apply to all future codes adopted by the State of Washington unless repealed or amended.

Note: Section numbers referenced are to the International Building Code, and references to the International Residential Code are indicated by a referenced “R”.

A. **Work exempt from permit:** Replace IBC Section 105.2 and IRC Section R105.2 with:

Section 105.2, R105.2 Work exempt from permit. Exemptions from permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of this jurisdiction.

Building permits shall not be required for the following:

- a. One-story detached residential accessory structures used as tool and storage sheds; ag storage buildings; tree-supported play structures, playhouses, and similar uses, provided the floor area does not exceed 288 square feet and the wall height does not exceed the limits of the IRC. (A zoning review shall still be required).
- b. Fences not over seven feet (2134 millimeters) high; (Zoning review shall still be required).
- c. Decks that are not more than 30 inches above grade, measured vertically from grade to any point horizontally within 36 inches of any open side.
- d. Oil derricks.
- e. Retaining walls, which are not over four feet (1,219 millimeters) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- f. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 liters) and the ratio of height to diameter or width does not exceed two to one.
- g. Sidewalks and driveways not more than 30 inches (762 millimeters) above grade, and not over any basement or story below, and decks that are not attached to a dwelling and do not serve the required exit door.
- h. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- i. Replacement of siding for accessory structures, not intended for human occupancy, that are associated with single-family residence structures.
- j. Temporary motion picture, television, and theater stage sets and scenery.
- k. Prefabricated swimming pools accessory to a Group R-3 occupancy, which are less than 24 inches (610 millimeters) deep, do not exceed 5,000 gallons (18,925 liters) and are installed entirely above ground.
- l. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- m. Swings, slides, and all other similar playground equipment.
- n. Window awnings in single-family residences (R-3) and Group U occupancies, supported by an exterior wall which do not project more than 54 inches (1,372 millimeters) from the exterior wall and do not require additional support.
- o. Movable cases, counters, and partitions not over five feet nine inches (1,753 millimeters) in height.
- p. Satellite earth station antennas six and one-half feet (two meters) or less in diameter or diagonal in zones other than residential zones.
- q. Satellite earth station antennas three and one-quarter feet (one meter) or less in diameter in residential zones.
- r. Video programming service antennas three and one-quarter feet (one meter) or less in diameter or diagonal dimension, regardless of zone.
- s. Window replacement in single-family residences as long as the replacement does not reduce the egress, safety glazing, or energy requirements, and the structural opening for

said window replacement remains the same.

15.06.015 Schedule of Permit Fees:

A. Replace IBC Section 109.2 and IRC Section R108.2 with:

Sections 109.2 and R108.2 Schedule of Permit Fees.

Building fees for building permits and related inspections shall be as set forth by the Adams County Building and Planning master fee schedule established and set by resolution by the Board of County Commissioners. The Building and Planning Master Fee Schedule shall be periodically adjusted to reflect changes in administration and technical review costs.

The valuation of construction used for the calculation of the building permit fee from Table 1-A shall be the valuation as determined by the ICC Building Valuation Data (BVD) table as published in August of each year in the ICC Building Safety Journal. The BVD table provides the “average” construction costs per square foot, for the purpose of determining permit project valuation cost. Building valuation costs per square foot not shown in Building and Planning Master Fee Schedule Sections 3-A and 3-B Supplement Valuation tables shall be based on the “ICC Building Valuation Data” as published in the Building Safety Journal by the International Code Council, Inc., or shall be as determined by the Building Official to reflect the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, and any other permanent equipment.

The Supplemental Tables 3-A and 3-B shall be updated on January 1st of each year and shall incorporate changes from the “Building Valuation Data” as published in the Building Safety Journal by the International Code Council, Inc., except that those mathematical formulas presented in the “Building Valuation Data” which calculate fees shall not be incorporated or adopted.

Plan Review. Fees for review and examination of required construction plans and/or construction data shall be set as established in the Adams County Building and Planning Master Fee Schedule. All plan review fees shall be in addition to the building permit fee and shall be payable at the time of permit application submittal. Additional plan review required by changes, additions, corrections, or revisions made to the plans after completion of the plan review or after issuance of the building permit shall be required to pay a fee as shown in the Adams County Building and Planning Master Fee Schedule.

Residential Plumbing. Fees for plumbing permits and related inspections shall be as set forth in Table 3-B of the Adams County Building and Planning Master Fee Schedule.

Residential Mechanical. Fees for mechanical permits and related inspections shall be as set forth in Table 3-B of the Adams County Building and Planning Master Fee Schedule.

Commercial Plumbing. Fees for plumbing permits and related inspections shall be set forth in Table 3-A of the Adams County Building and Planning Master Fee Schedule.

Commercial Mechanical. Fees for mechanical permits and inspections shall be set forth in Table 2-A of the Adams County Building and Planning Master Fee Schedule.

Fire Code Fees. Fire suppression and alarm system related permits and inspections shall be set forth under Section 4-A of the Adams County Building and Planning Master Fee Schedule.

B. Additional fees. Pursuant to RCW 19.27.085

1. Residential Building Permit Fee to SBCC for each building permit (see the Adams County Building and Planning Master Fee Schedule).
2. Commercial Building Permit fee to the SBCC for each Building Permit (see the Adams County Building and Planning Master fee schedule).

C. Grading. Fees for grading permits, for review of grading plans, and for related inspections shall be as set forth in sections D and E of the Adams County Building and Planning Master Fee Schedule.

D. Factory-Assembled Structures. Fees for building permits for structures attached to a factory-assembled structure, including, but not limited to, garages that are not structurally dependent upon the factory-assembled structure for support, shall be as noted above for building permits and plan review based on valuation of construction shall be based on the value of the placement cost labor and materials for the Factory Assembled Structure and determined by Table 1-A. *Factory-assembled structures constructed prior to June 15, 1976, shall be required to undergo inspection and approval by the State of Washington, Department of Labor and Industries, prior to issuing the placement permit.*

E. Use and occupancy: Replace IBC Section 110.1 and IRC Section R110.1 With:

Section 110.1 and R110.1 Use and occupancy. The following paragraph shall be added to this section:

The Building Official shall not issue a certificate of occupancy until approval has been obtained from all Adams County departments and divisions and from all State of Washington and Federal agencies having jurisdiction or authority over the building project. Adams County is authorized and directed to deny any requests for utility services, including, but not limited to, electrical service, solid waste removal, water service, and sewer service, on a permanent-user basis, unless the applicant demonstrates that the building for which such service is requested has been issued a certificate of occupancy or temporary certificate of occupancy by the Building Official. Provisional utility services may be provided to the extent necessary for construction of the building prior to issuance of such a certificate so long as the building is not used or occupied.

Chapter 15.20

PROPERTY MAINTENANCE CODE

Section: 15.20.010 Chapter 1 Scope and Administration

15.20.10 Scope and Administration

The International Property Maintenance Code, published by the International Code Council, is adopted by Adams County under 15.04.010 and is hereby amended as follows:

A. Administration:

Sections – International Property Maintenance Code

B. Scope and Application:

1. Section 101 Scope and General Requirements. This code applies to all existing residential and non-residential structures and constitutes minimum requirements and standards for premises, structures, equipment, and facilities. The responsibility of owners, an owner's authorized agents, operators, and occupants, and the occupancy of existing structures and premises, and the administration enforcement and penalties.
2. 101.1 Title. These regulations shall be known as the International Property Maintenance Code of Adams County, hereinafter referred to as "this code."
3. 101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises, and constitute minimum requirements and standards for premises, structures, and equipment. The responsibility of owners, an owner's authorized agent, operators and occupants and the occupancy of existing structures and premises, and the administration, enforcement, and penalties.
4. 103.1 Creation of Agency. Adams County is the agency in charge thereof and the function of the agency shall be the implementation, administration, and enforcement of the provisions of this code.
5. 103.2 Appointment is NOT ADOPTED.
6. 103.3 Deputies is NOT ADOPTED.
7. Section 104 Fees is NOT ADOPTED.
8. 105.5 Notices and Orders. The code official shall issue necessary notices or orders to ensure compliance with this code.
9. 108.1 Board of Appeals. The Adams County Hearing Examiner is hereby designated as the Board of Appeals for the International Property Maintenance Code.
10. Section 109 Violations
 - a. 109.1 Unlawful Acts. It shall be unlawful for any person, firm, or corporation to repair, alter, extend, add, move, remove, demolish, or change the occupancy of any building or equipment regulated by this code or cause same to be done in conflict with or in violation of any of the provisions of this code.
 - b. 109.2 Notice of Violation. The building and fire code official shall serve a Notice of Violation or Order in accordance with ACC Section 15.20.020 Enforcement Procedures.
 - c. 109.3 is NOT ADOPTED.
 - d. 109.4 is NOT ADOPTED.
 - e. 109.5 is NOT ADOPTED.

- f. 113.2 Notices and Orders is NOT ADOPTED.
- C. Chapter 3 General Requirements
 - 1. 301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures and equipment.
 - 2. Section 302 Exterior Property Areas is NOT ADOPTED.
 - 3. Section 303 Swimming Pools, Spas and Hot Tubs is NOT ADOPTED.
 - 4. Section 304.2 Protective Treatment is NOT ADOPTED.
 - 5. Section 304.14 Insect Screens is NOT ADOPTED.
 - 6. Section 305 Interior Structure is NOT ADOPTED.
 - 7. Section 308 Rubbish and Garbage is NOT ADOPTED.
 - 8. Section 309 Pest Elimination is NOT ADOPTED.
- D. Chapter 4 Light, Ventilation and Occupancy Limitations is NOT ADOPTED.
- E. Chapter 5 Plumbing Facilities and Fixture Requirements is NOT ADOPTED, except For Section 506.1.
 - 1. 506.1 General. Plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.
- F. Chapter 6 Mechanical and Electrical Requirements is NOT ADOPTED.

Chapter 15.30

Enforcement Procedure

Section: 15.30.010 Purpose

Section: 15.30.020 Applicability

Section: 15.30.030 Remedies Not Exclusive

Section: 15.30.040 Definitions

Section: 15.30.050 Enforcement Process

Section: 15.30.060 Right of Entry

15.30.010 Purpose

The purpose of the enforcement procedures found in this chapter is to establish an efficient system to enforce the provisions of the Property Maintenance Code (PMC) and the adopted codes and procedures enumerated in ACC 15.06 and ACC Title 14 for the benefit of public health, safety, welfare, and environment. To achieve this purpose, this chapter provides procedures for:

1. Efficient notice and opportunities to correct violations of this chapter;
2. Progressive monetary penalties proportionate to the violation;
3. Contesting a Notice of Violation or Emergency Order;
4. Collecting civil penalties;
5. Abatement/demolitions of violations;
6. Property liens; and
7. Appeals.

15.30.020 Applicability

This chapter applies to violations of the Property Maintenance Code, which is adopted by reference in ACC Chapter 15.04; Stop Work Orders for failure to obtain appropriate permits per the adopted codes referenced in ACC Chapter 15.04, ACC Title 15, or violations of conditions or requirements of issued permits.

15.20.030 Remedies Not Exclusive

The remedies set forth in this chapter are not exclusive, and do not limit or restrict the authority of the county to pursue any other remedy available by law, including, but not limited to, remedying or abating violations.

15.30.040 Definitions

“Abate” means to repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a code violation by such means, in such a manner and to such an extent as the code official determines is necessary in the interest of the general health, safety and welfare of the community.

“Administrative Official” means the Building Official and Fire Marshal or their designee.

“Code Official” means the individual empowered to compel compliance with those laws, regulations, and permits over which the county has authority.

“Hearing Examiner” means an individual appointed by the county to hear and decide appeals of the adopted codes in Chapter 15.04.

“Notice of Violation” means the instrument that identifies a violation of this Chapter exists and is issued to the responsible party(s); the charging document and notice of violation initiating enforcement proceedings, as described in Chapter 1 of the adopted codes.

“Responsible Party” means the owner(s) or person(s) in control of the property at issue.

“Violation” means an act or omission contrary to a law, regulation, or permit as it relates to the building and fire codes for all residential and nonresidential structures regulated by the Scope of the Property Maintenance Code or other code adopted by reference.

“Voluntary Compliance” means the responsible party for the violation concedes that a violation exists and voluntarily agrees to rectify the violation within a specified time to the subjective satisfaction of the relevant Code Official. The Voluntary Compliance phase is the first step in the enforcement process.

“Voluntary Compliance Agreement (VCA)” means a signed agreement between the code official and the responsible party detailing a remediation plan and timeline to voluntarily correct the violation(s).

“Written complaint” means a complaint received by the county from an aggrieved person or employee alleging that a violation of a regulation has occurred.

15.30.050 Enforcement Process

A. The process for issuance of Notice of Violations, Emergency Orders, hearings, assessments, and payment of monetary penalties shall be in accordance with the provisions of this Chapter.

1. Action on a specific violation of the adopted codes may be initiated by a citizen or employee complaint to the county or by observation of a life, safety, or health violation by an employee. The responsible party will be notified of the violation and first be given an opportunity to correct or abate the violation through voluntary compliance. Failure to correct or abate the violation within the specified time period may result in formal corrective action and/or abatement by the county. The enforcement process is as follows:

- a. A complaint is received and/or observed, and the code official investigates to determine whether or not a violation exists.
- b. If a violation exists, the code official notifies the responsible party. The responsible party may decide to abate or remedy the violation voluntarily and may enter into a Voluntary Compliance Agreement (VCA) with the county. The VCA will allow a minimum of thirty (30) days for compliance, which may be extended upon determination of the code official that reasonable progress is being made. The VCA shall not be extended by a period to exceed six (6) months.
- c. If the violation(s) is not corrected, abated, or remedied within the time indicated within the voluntary compliance letter, or the agreed upon timeframe within the VCA, the enforcement is escalated to formal corrective action including, but not limited to, the issuance of a Notice of Violation and/or abatement by the county.
- d. The person responsible for the violation(s) has the option to appeal the Notice of Violation to the Hearing Examiner.
- e. If the violation(s) has not been corrected, abated, or remedied within the terms of the Notice of Violation/ Order, the county may abate the violation and pursue legal action to recoup the costs incurred through the Hearing Examiner process.
- f. The final step in the enforcement process is the Final Order Hearing by the Hearing Examiner. This is a Noticed Public Hearing where the Hearing

Examiner may affirm the violation(s) exists and order the abatement thereof, including any applicable monetary penalties (fines) that are owed by the responsible party.

2. During the enforcement process, the county makes every effort to work with the person responsible for the violation(s) to establish a successful compliance plan (Voluntary Compliance Agreement). The goal of the enforcement program is to achieve compliance. When compliance has been achieved to the satisfaction of the department, the case will be closed.
3. 105.3 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the code official has reasonable cause to believe that there exists in a structure or on a property, a condition that is contrary to or in violation of this code that makes the structure or premises unsafe, dangerous, or hazardous, the code official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied, credentials must be presented to the occupant and entry requested. If such structure or premises are unoccupied, the code official shall first make a reasonable effort to locate the owner, the owner's authorized agent or other person having charge or control of the structure or premises and request entry. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

15.30.060 Right of Entry

- A. Any entry made to private property for the purpose of inspection for code violations pursuant to this chapter shall conform with constitutional and statutory constraints of entry, and the holdings of relevant court cases regarding entry. The code official is authorized to enter upon any property for the purpose of administering this chapter provided such entry is consistent with the constitutions and laws of the United States and the State of Washington.
- B. 109.2 Notice of Violation. The code official is authorized to serve a notice of violation or order on the person responsible for the repair, alteration, extension, addition, moving, removal, demolition, or change in the occupancy of a building in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.
- C. 109.4 Violation Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof, or who repairs, alters, or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under the provisions of this code shall be subject to penalties as prescribed by law.
- D. Section 111 Unsafe Structures and Equipment
 1. 111.1 Conditions.

Buildings, structures, or equipment that are or hereafter become unsafe, shall be taken down, removed, or made safe as the code official deems necessary and as provided for in this code.
 2. 111.1 Unsafe Structures.

An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect occupants. The structure is so damaged, decayed, dilapidated, or structurally unsafe, that partial or complete collapse is possible.

3. 111.1.2 Unsafe Equipment.

Unsafe equipment includes any boiler, heating equipment, elevator, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure that is in such disrepair or condition that such equipment is a hazard to life, health, property, or safety of the public or occupants of the premises or structure.

4. 111.4 Notice.

If an unsafe condition is found, the code official shall serve on the owner, the owner's authorized agent or person in control of the structure, a written notice that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires the unsafe building to be demolished within a stipulated time. Such notice shall require the person notified to declare immediately to the code official acceptance or rejection of the terms of the order.

15.30.070 General enforcement authority.

The code official has the authority to gain compliance with the provisions of this chapter. This authority includes the power to implement voluntary compliance, issue notices of violation, inspect property, implement administrative remedies, assess fines, condemn structures and equipment, and proceed with levying property liens where permitted by this chapter.

15.30.080 Voluntary compliance.

A. This section applies whenever the code official determines that a violation of this chapter has occurred or is occurring:

1. The code official shall attempt to secure voluntary compliance by notifying the responsible party in writing, evidenced by proof of service. This notice shall include an explanation of the violation, and a request for corrective action. Any contact shall be documented in writing in the department's case management system, in a report signed under penalty of perjury, or otherwise evidenced by retaining copies of any written contact in the case management system.

2. The code official may request the person responsible for the violation to enter into a voluntary compliance agreement (VCA). The VCA allows for an agreed upon timeframe that is realistic to abate the violation(s). The VCA shall allow 30 days minimum for compliance and may be extended if there is reasonable progress being made, which will be determined by the code official. The VCA shall include the following information:

- a. The address and parcel number of the violation;
- b. The name, address, and parcel number of the person responsible for the violation, if different from the location of the violation;

- c. A description of the violation(s) and a reference to the applicable code section being violated;
- d. The date and time the necessary corrective action to be taken must be completed;
- e. Reference to the potential consequences should the property remain in violation after the expiration of the compliance deadline including, but not limited to, criminal prosecution, civil injunction, administrative abatement, civil penalties, revocation of permit, issuance of a citation and the withholding of future county permits;
- f. An agreement by the responsible party that the county may abate the violation and recover its costs and expenses and/or monetary penalty pursuant to this chapter for the violation if the agreement is violated; and
- g. Waiver of entering party's right to appeal the required corrective action upon entry.

15.30.090 Notice of Violation (NOV)

- A. When the code official determines that a violation has occurred and is unable to secure voluntary compliance, the code official shall issue a Notice of Violation to the responsible party. The NOV is a final determination by the code official that a violation exists, and monetary penalties will be assessed.
- B. The code official may issue an NOV without having attempted to secure voluntary compliance under the following circumstances:
 - 1. When an emergency exists;
 - 2. When a repeat violation occurs;
 - 3. When the violation creates a situation or condition which cannot be corrected.
- C. The NOV shall include the following information:
 - 1. The name, address, and parcel number of the responsible party for the violation(s);
 - 2. The address and parcel number where the violation has occurred or is occurring, if different;
 - 3. The date of the violation;
 - 4. A description of each violation and a reference to the provisions of the code that is being violated;
 - 5. The required correction action, and a date and time the correction must be completed;
 - 6. A description of the options to respond to the NOV;
 - 7. The applicable monetary penalty being imposed in accordance with ACC Title 1 if the violation is not remedied within the time frame allotted; and

8. A statement that the NOV represents a determination that a violation has been committed by the person named on the NOV and that failure to respond shall result in a finding that the violation was committed.
- D. Method of Service. Such notice shall be deemed properly served if a copy thereof is delivered to the owner or the owner's authorized agent personally; sent by certified or registered mail addressed to the owner or the owner's authorized agent at the last known address with the return receipt requested; or delivered in any other manner as prescribed by local law. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner on the owner's authorized agent or on the person responsible for the structure shall constitute service of notice on the owner.

15.30.100 Response to a notice of violation

- A. Person(s) shall respond to the NOV within fourteen (14) calendar days from the date of service by one of the following means:
1. Paying the fine (monetary penalty) specified in the citation, in which case the record shall show a finding that the person cited committed the violation. Payment of the fine(s) does not relieve the person named in the NOV of the responsibility for correcting, abating, or stopping the violation.
 2. Requesting a reduction of fines in writing and explaining the circumstances surrounding the commission of the violation(s). Conditions for the reduction of fines must be in accordance with GCC 14.04.220. A request for a reduction of fines shall include address and contact information for the person cited and making said request.
 3. Requesting an appeal of the Notice of Violation in writing, specifying the reason why the cited violation did not occur or why the person cited is not responsible for the violation, and providing a mailing address to which notice of a hearing may be sent.

15.30.110 Hearing

Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, on petition directed to the appeals board, be afforded a hearing as described in this code.

15.30.120 Final Order Hearing

- A. Failure to respond to the Notice of Violation within fourteen (14) calendar days, as outlined in ACC Section 14.04.170, shall constitute a public hearing before the Hearing Examiner to determine the final order.
1. Upon rendering a decision, the Hearing Examiner shall make and enter findings from the record and conclusions thereof, which support such decision. The findings

and conclusions shall set forth and demonstrate the manner in which the decision carries out the intent of this code.

2. All decisions of the Hearing Examiner shall be rendered within ten (10) working days following the conclusion of all testimony and hearings. The Department shall distribute the notice of decision to the responsible party, in writing.
3. The Hearing Examiner's decision is considered the final order, and no further enforcement action is necessary to proceed with abatement of the violation.
4. Appeals of the Hearing Examiner's decision may be made by filing an appeal to superior court within twenty-one (21) calendar days of the issuance of the Hearing Examiner's decision.
5. Any aggrieved party or agency that believes the final decision of the Hearing Examiner is unsound based upon errors in procedure, law interpretation of adopted policy, fact, judgment, or the discovery of new factual evidence, which by due diligence could not have been found prior to the Hearing Examiner hearing, may make a written request for reconsideration by the Hearing Examiner within fourteen (14) calendar days of the filing of the written record of decision. The request for reconsideration shall be submitted to the Adams County Building and Planning Department on forms provided by the Department. Reconsideration of the decision is wholly within the discretion of the Hearing Examiner. Should the Hearing Examiner choose to reconsider, they may issue a revised record of decision within ten (10) calendar days of the reconsideration heard by the Hearing Examiner. A request for reconsideration is not a prerequisite to an appeal.

15.30.130 Appeals Hearing

- A. When the Building and Planning Department receives an appeal of a Notice of Violation, the statement shall be transmitted to the Hearing Examiner within three (3) business days.
 1. The Hearing Examiner shall conduct an appeal hearing within thirty (30) days from the received request for the hearing.
 2. The department, on behalf of the Hearing Examiner, shall notify the person contesting the NOV and the department, in writing, of the time, place, and date of the hearing at least fifteen (15) calendar days prior to the date of the hearing.
- B. The Building and Planning Department has the burden of proof by a preponderance of the evidence to prove:
 1. The person named on the NOV is the responsible party and/or the property owner, and that said person caused the violation and/or allowed the violation to continue; and
 2. The violation(s) listed in the NOV occurred on the date/s listed in the order.
- C. The appeal hearing shall be an open record public hearing conducted in accordance with the Adams County Hearing Examiner Rules of Procedure, except as modified by this chapter.
- D. Each party to the infraction shall be allowed to:

1. Call, examine and cross-examine witnesses regarding matters relevant to the issues of the hearing; and
 2. Introduce relevant documentary and physical evidence.
 3. No testimony by the general public is permitted at the hearing. The only witnesses that will be allowed to testify are those called by the County or the Appellant.
- E. The NOV containing the certified statement or declaration under penalty of perjury submitted by the code official, and any attached documentation and other evidence, shall be prima facie evidence that a violation occurred, and that the person(s) cited are responsible. Any other certifications or declarations shall also be admissible without further evidentiary foundation.
- F. The Hearing Examiner shall consider the evidence and testimony presented at the hearing and based on this information, shall enter a finding of committed or not committed. The decision shall be issued within ten (10) working days with an optional right of reconsideration per ACC Section 15.30.120(4). Appeals of the Hearing Examiner decision may be made by filing an appeal to the superior court within twenty-one (21) days of issuance of the Hearing Examiner's decision. The decision of the Hearing Examiner shall constitute a final decision and order per ACC 15.120(3).

15.30.140 Failure to Appear for an Appeals Hearing

Failure to appear for a requested hearing will result in a finding of committed and assessing the fines specified in the NOV. For good cause shown and upon terms the hearing examiner finds just, the hearing examiner may set aside a decision entered upon a failure to appear.

A.111.6 Violation Penalties

Any person who violates a provision of this code or fails to comply with any of the requirements thereof, or who repairs or alters or changes the occupancy of a building or structure in violation of the approved construction documents or directive of the code official or of a permit or certificate issued under the provisions of this code shall be subject to penalties as prescribed by law.

15.30.150 Monetary Penalties and Fees

Monetary penalties shall be in accordance with ACC Title 1 Section 1.16.010. and once applied, shall be assessed on each violation that is identified in the NOV and shall constitute a separate offense for each day the monetary penalty is not paid in full.

15.30.160 Mitigation Fines

- A. The Administrative Official may reduce fines assessed if the violation is corrected within fourteen (14) days and is verified by the code official. A reduction shall be in writing and state the date on which the violation was corrected.

- B. For reduction, the person(s) named shall have the burden of proof that the violation has been corrected and the date of correction, including verification by the code official.
- C. Reduction of fines shall be 75% for a first offense or single violation, or 50% for multiple violations on the same NOV or second single offense.

Section 113 Demolition

A. 113.1 General

The code official shall order the owner or owner's authorized agent of any premises on which is located any structure that in the code official's judgment is so old or dilapidated, or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation of occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary; or to demolish and remove to the owner's or the owner's authorized agent's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

B. 113.3 Failure to Comply

If the owner or the owner's authorized agent of a premises fails to comply with a demolition order within the time prescribed, the code official shall have the structure to be demolished and removed, either through an available public agency or by contract or agreement with private persons, and the cost of such demolition and removal shall be charged against and a lien imposed on the real estate on which the structure is located.

15.30.170 Demolition

- A. In addition to any other judicial or administrative remedy provided by this chapter or by law, the county may seek to abate through demolition per the International Property Maintenance Code Section 113.
- B. The cost of the demolition, including administrative costs incurred as a result of the abatement, may be levied as a special assessment on the land or premises on which the violation is situated. This assessment shall constitute a lien against the property which shall be of equal rank with state, county, and municipal taxes, pursuant to RCW 36.32.120(10).

15.30.180 Liens Generally

- A. The county shall have a lien imposed for the cost of any abatement work done pursuant to this chapter, against the real property on which the Notice of Violation and Demolition Order was imposed or any of the abatement work performed.
- B. The cost of the abatement is also joint and several personal obligations of all persons in violation.
- C. Any lien imposed by the county under this chapter shall be subordinate to all existing special assessment liens previously imposed upon the same property and shall be paramount to all other liens, except for state and county taxes, with which it shall be on parity.

15.30.190 Liens filing and recording

- A. The administrative official shall cause a claim for lien to be filed for record in the auditor's office within ninety (90) days from the date of completion of the abatement work performed pursuant to this chapter.
- B. The claim of lien shall contain the following:
 - 1. The authority for proceeding to abate the violation;
 - 2. A brief description of the abatement work done, including the violations charged and the duration thereof;
 - 3. A legal description of the property to be charged with the lien;
 - 4. The name of the known or reputed owner, and if unknown, the fact shall be alleged; and
 - 5. The amount, including lawful and reasonable costs, for which the lien is claimed.
- C. The administrative official shall sign and verify the claim.
- D. The claim of lien may be amended in case of action brought to foreclose the lien, by order of the court, as long as the interests of third parties are not detrimentally affected by amendment.
- E. The auditor shall record and index the claims described in this chapter.
- F. No lien created by this chapter binds the property subject to the lien for a period longer than three (3) years after the claim has been filed unless an action is commenced in the proper court within that time to enforce the lien.

15.30.200 Lien foreclosure

- A. The lien provided by this chapter may be foreclosed and enforced by a civil action in a court having jurisdiction.
- B. All persons who have legally filed claims of liens against the same property prior to commencement of the action shall be joined as parties, either plaintiff or defendant.
- C. Dismissal of an action to foreclose a lien at the instance of a plaintiff shall not prejudice another party to the suit who claims a lien.

15.30.210 Duty not creating liability

No provision or term used in this chapter is intended to impose any duty upon the county or any of its officers or employees which would subject them to damages in a civil action.

15.30.220 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this chapter is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this chapter.

15.30.230 - Effective date

This chapter shall take effect and be in full force upon enactment.

SECTION III

Sections 14.30.020, 14.30.040, 14.60.010 and Chapter 14.80 of the Adams County Fire Prevention Code (ACFPC) are amended, to read as follows:

14.30.020 Fire

A. Residential

For residences, fire flow is required if the building(s) is larger than 3,600 square feet, including all spaces, garages, basements, bonus rooms, etc.

B. Detached Accessory Buildings

For detached personal storage buildings(s), fire flow is required if the building is larger than 3,000 square feet.

C. Residential Building Fire-Flow Requirements Checklist

If the calculated fire-flow area* is greater than 3,600 square feet for a residence or greater than 3,000 square feet for a detached accessory building, one of the following options shall be required:

1. A fire hydrant connected to a municipal or water association system is within 600 feet (driving route) of the proposed building. It must produce a minimum of 750 gallons per minute at 20 psi for a minimum duration of one (1) hour.
2. An approved NFPA 13-D residential fire sprinkler system will be installed prior to occupancy.
3. Buildings set back from all side and rear property lines of at least 20 feet and a minimum of 30 feet from other buildings on the same lot.
4. A fire flow system consisting of a tank, approved fire pump, and a fire hydrant within 600 feet (driving route) of the proposed building. The system must produce 750 gallons per minute at 20 psi for minimum duration of one (1) hour.

* Note: Fire-flow calculation area shall be the total square footage of all fire areas within exterior walls, including only areas that are fully enclosed on all sides and which have a full ceiling height (6'-8" or greater). Area measured to the outside edge of enclosure walls. Breezeways connecting buildings will be included in the area measurement.

D. Commercial

All construction projects within Adams County are required to meet the fire flow provisions of Appendix B of the IFC as adopted by Adams County. (Ord. O-02-21 § 1)

Exceptions to fire flow for commercial buildings less than 3,600 square feet that meet all of the following criteria:

- a. The fire area building is less than 3,600 square feet.

- b. The property is located in an agricultural or rural zone.
- c. An NFPA 72 monitored fire alarm system is installed in the building.
- d. Thirty (30)-foot minimum setbacks to all property lines and buildings on the same property.
- e. Located within a fire district.
- f. Shall have a maximum occupancy load less than 300 and shall not be classified as an E, A, H, I, or R occupancy.

E. Agricultural Buildings

- 1. The fire flow requirements for agricultural buildings no greater than 5,000 square feet (Group U Occupancy) shall be 750 GPM for one (1) hr; where the following conditions are met.
 - a. The structure is set back from the side and rear lot lines of at least 30 feet and is at least 30 feet from other buildings on the same lot.
- 2. Fire flow requirements for agricultural buildings greater than 5,000 square feet shall be as specified in Appendix B of the International Fire Code.
 - a. Exception to fire flow requirements: Where the following requirements are met and approved by the Fire Marshal, a 75% reduction to the required fire flow may be permitted. The resulting fire flow shall not be less than 1000 gpm.
 - i. An NFPA 72 monitored fire alarm system is installed in the building.
 - ii. The structure is set back from the side and rear lot lines of at least thirty (30) feet and is at least thirty (30) feet from other buildings on the same lot.
 - iii. A fire flow system consisting of a tank, approved fire pump, and a fire hydrant within six hundred (600) feet (driving route) of the proposed building. The system must produce 1000 gallons per minute at 20 psi for minimum duration of one hour.

14.30.040 Private Driveways

A private driveway shall serve no more than two (2) dwellings on one (1) parcel. Any private driveway hereafter created longer than 150' in length shall have a width of no less than 20 feet and shall provide an approved fire apparatus turnaround meeting the requirements of the IFC Appendix D. County driveways less than 150' in length shall have a width of no less than 16 feet. A turnaround is not required. All driveways shall have an *approved* driving surface capable of supporting the imposed load of fire apparatus weighing up to 75,000 pounds.

14.30.070 Fire apparatus access roads

- A. Pursuant WAC 51-54A-0503: "Fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards" or authority. Maintenance shall be the responsibility of the property owner / owners to which

the fire lane services.

- B. Dimensions. Fire apparatus access roads, other than those on private property, shall have an unobstructed width of not less than 20 feet (6,096 mm), except for approved security gates in accordance with Section 14.40, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4,115 mm). Emergency Vehicle access roads shall be constructed in accordance with Adams County Road standards.
- C. Penalty for violations. Any person who fails to mark or maintain a fire apparatus access road as prescribed in this chapter, or who parks a vehicle in, allows the parking of a vehicle in, obstructs or allows the obstruction of a fire apparatus access road is guilty of an infraction. The maximum penalty for failing to mark or maintain a fire apparatus access road shall be not more than a fine of \$150.00. The maximum penalty for parking a vehicle in, or allowing the parking of a vehicle in, obstructing, or allowing the obstruction of a fire apparatus access road, shall be not more than a fine of \$150.00. Each day or part of a day during which the unlawful act or violation occurs shall constitute a separate offense. There shall be a penalty of \$25.00 for failure to respond to the notice of this infraction. The local court shall impose this monetary penalty for failure to respond, pursuant to RCW 46.63.110(4).

14.60.010 Authority

- A. The Fire Marshal, or his/her designee, is authorized to inspect the following non-residential occupancies in unincorporated Adams County.
 - 1. Hospitals.
 - 2. Nursing homes.
 - 3. Assisted living facilities.
 - 4. Medical centers.
 - 5. Schools.
 - 6. Daycare facilities.
 - 7. Any other recreational and/or educational centers, including but not limited to camps, riding arenas, etc.
 - 8. Retail stores.
 - 9. Business offices.
 - 10. Dining and entertainment establishments.
 - 11. Industrial and manufacturing facilities.
 - 12. Special events located in nonresidential occupancies.
 - 13. Special events located in residential occupancies where a special event permit has been issued.
 - 14. Repair garages and automotive maintenance garages.
 - 15. Places of assembly; event centers, churches etc.
 - 16. Spray booth facilities; and

17. All other nonresidential occupancies which may pose a fire or life safety hazard to the public or employees, or as listed in the International Fire Code, as adopted in Title 15 of the Adams County Code.
- B. The Fire Marshal, or his/her designee, is also authorized to inspect the following residential occupancies in unincorporated Adams County.
1. The common areas of apartments and condominiums.
 2. Commercial vacation and short-term rentals.
 3. Lodges, hotels and motels.
 4. Mobile home parks.
 5. Recreational vehicle parks.
- C. The Fire Marshal or his/her designee will not make entrance into the individual apartment or condominium units unless a specific request is made by the occupant or owner of the property. A landlord may not grant permission to enter a premise that has a tenant.
- D. Single family residences and duplexes shall not be regulated under this code.

Chapter 14.80

FIRE HAZARDS AND OUTDOOR BURNING

Sections:

14.80.010 Definitions

14.80.020 Authority

14.80.030 Outdoor burning and piles of natural vegetation

14.80.040 Recreational fires

14.80.050 Violations, enforcement, and penalties

14.80.010 Definitions

“Fire hazard” means any arrangement of materials and/or heat sources that present the potential for harm, such as personal injury or ignition of combustibles.

“Outdoor burning” means the ignition and burning of any material in the open air or in an outdoor receptacle and is subject to this chapter and Title 14.90.

“Sky lantern” means a miniature, unmanned air balloon that relies on an open flame as a heat source to heat the air inside the lantern with the intention of causing it to lift into the atmosphere. Typically made of rice paper or flame-resistant paper, it has a fuel cell in the opening.

14.80.020 Authority

The Fire Marshal or his/her designee may deem a property or condition, including outdoor burning on a property as a fire hazard.

Check with your local fire district for burn permits requirements; see Section 14.20.010, Fire district.

14.80.030 Piles of natural vegetation for burning

A. Piles of natural vegetation for burning shall be no greater than ten (10) feet in diameter, and no more than ten (10) feet in height. If prior approval is obtained from the fire marshal and local fire district, pile sizes may be increased. It shall be the responsibility of the property owner to contact the local fire district to determine if a permit will be required, as well as to notify the fire district upon commencement of burning.

B. The following rules shall apply to all outdoor burning activities, whether permitted or exempt at all times:

1. The burning of garbage, trash, rubbish, or utilization of burn barrels, etc., is illegal.
2. No open burning within fifty (50) feet of any structure or combustible material.
3. Pile size shall be no greater than ten (10) feet in diameter, unless prior approval to increase pile size is obtained from the fire marshal and fire district.
4. No more than one pile may be burned on any property at the same time.
5. Piles may be stored on a property no longer than twelve (12) months.
6. Conditions that may cause the fire to spread shall be eliminated prior to ignition.
7. No open burning shall occur when wind speeds or gusts exceed ten (10) miles per hour, unless prior approval is obtained from the fire marshal and local fire district.
8. A person capable of utilizing fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, etc., shall always be on site.
9. Fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, or any equipment that will provide suppression of the proposed fire, shall always be on site while the fire is burning.
10. Outdoor burning is prohibited during any burn restriction or burn ban adopted pursuant to Title 14.90.

14.80.040 Recreational fires.

A. Recreational fires are allowed in unincorporated areas of Adams County.

B. The following rules for recreational fires shall apply at all times:

1. Recreational fires, campfires, cook fires, etc., shall be no greater than three (3) feet by three (3) feet or thirty-six (36) inches in diameter and no more than two (2) feet in height;
2. No recreational fires shall be located within twenty-five (25) feet of any structure;
3. A person capable of utilizing fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, etc., shall always be on site; and
4. Fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, or any equipment that will provide suppression of the proposed fire, shall always be on site while the fire is burning.

C. Recreational fires conducted in violation of this chapter or during a burn restriction or burn ban established under Title 14.90 are unlawful.

14.80.050 Violations, enforcement, and penalties

A. Violations. It is unlawful for any person to ignite, maintain, or allow outdoor burning in violation of this chapter, Title 14.90, permit conditions, or any lawful order of the fire marshal or designee.

B. Citations Procedure.

Procedures for issuance of notice of infraction, hearings, assessments, and payments of monetary penalties, shall be in accordance with the provisions contained in Chapter 1.16. Hearings on notices of infractions issued pursuant to this chapter shall subject the violator to the following penalties:

(1) First offense	\$150.00
(2) Second offense	\$300.00
(3) Third and subsequent offenses	\$500.00

Infractions may be subject to local fire department recuperations for manpower and equipment cost.

C. Immediate abatement

The fire marshal or designee may order the immediate extinguishment of any outdoor fire that presents an imminent threat to life, property, or public safety. Failure to comply constitutes a separate violation.

SECTION IV

The Clerk to the Board and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbers, sections/subsection numbers, and any references thereto.

SECTION V

If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of County Commissioners hereby declares that it would have passed this ordinance and each section, subsections, sentence, clause, or phrases had been declared invalid or unconstitutional, and if for any reason this ordinance should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

SECTION VI

This ordinance shall take full force and effect immediately upon adoption.

Adopted this 21st day of April, 2026.

BOARD OF COUNTY COMMISSIONERS
ADAMS COUNTY, WASHINGTON
s/Dan C. Blankenship, Chairman
s/Miguel A. Garza, Vice-Chairman
s/Jay R. Weise, Commissioner

ATTEST:

s/Patricia J. Phillips, CMC
Clerk of the Board

Approved as to form:
s/Randy J. Flyckt
Prosecuting Attorney
WSBA #29302