

RESOLUTION NO. 2014-98
Expired Building Permits

WHEREAS, Kootenai County Community Development (and its predecessors) issued numerous building permits prior to January 1, 2003 in which construction has not passed all required inspections and in which the permit has expired as a result of the passage of time; and

WHEREAS, these expired building permits have historically been declared as code violations; and

WHEREAS, Community Development staff have made a concerted effort to conduct follow-up investigations to resolve these outstanding expired building permits, resulting in resolution of a large number of these cases; and

WHEREAS, the records regarding these expired building permits appear to be inconsistent in completeness, thoroughness, and in many cases appear to be missing; and

WHEREAS, the structures constructed under authority of these expired building permits appear to have withstood the test of time and, in some cases, may even be approaching expected service life, and appear not to have presented any significant life safety issues; and

WHEREAS, since Kootenai County began issuing building permits in 1971, there have been building code edition updates every three years, but the publishing agency for building codes adopted prior to January 1, 2003 is no longer in existence; and

WHEREAS, based on the above findings, the Board has determined that the best method to facilitate an effective and reasonable closure for expired building permits issued prior to January 1, 2003 would be to consider structures constructed under authority of such expired permits not to be in violation of building code requirements, so long as the scope of work has not exceeded that which was originally permitted;

NOW THEREFORE, BE IT HEREBY RESOLVED by the Board of Commissioners of Kootenai County, Idaho that existing parcels of land in which building permits had been issued prior to January 1, 2003, and have since expired, shall no longer be considered to be in violation of building code requirements, so long as the scope of work has not exceeded that which was originally permitted.

BE IT FURTHER RESOLVED that no subsequent expansion, alteration or change of use of any structure constructed under authority of such expired permit shall be permitted except upon issuance of a new building permit by Community Development. In such cases, the building codes in effect at the time of application for the new permit shall apply. The legal occupancy of any structure existing on the date of permit application shall be permitted to continue without change except as specifically covered in the relevant code.

RESOLUTION RE: EXPIRED BUILDING PERMITS – 1

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Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Tondee, and seconded by Commissioner Nelson, the following vote was recorded:

Commissioner Nelson:	Aye
Commissioner Green:	Excused
Chairman Tondee:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of County Commissioners of Kootenai County, Idaho, on the 30th day of December, 2014.

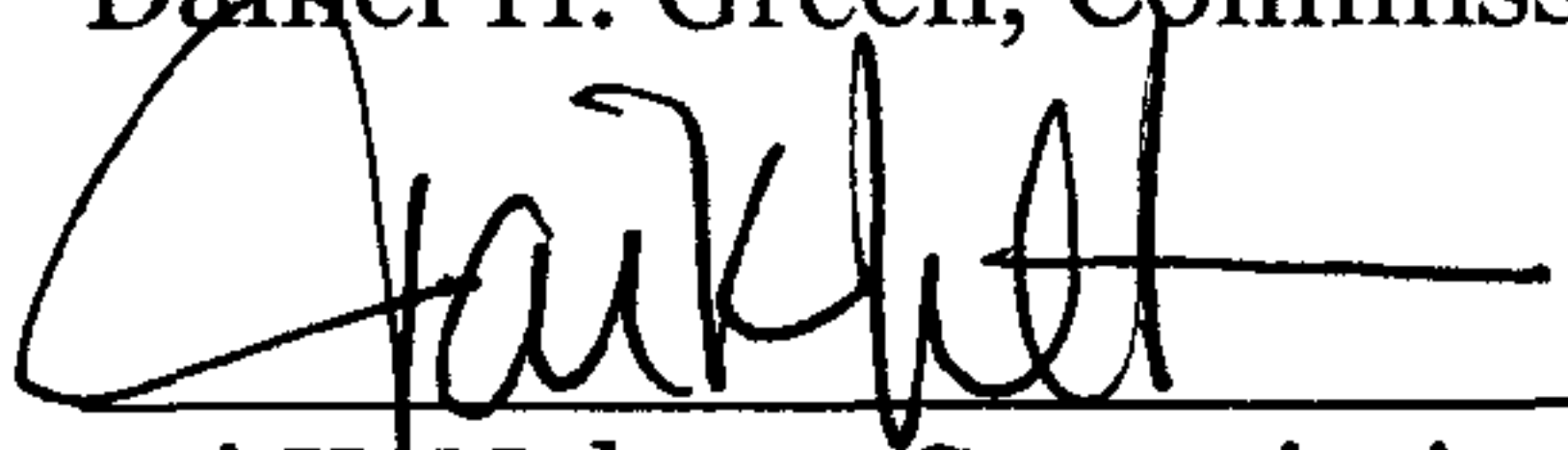
**KOOTENAI COUNTY
BOARD OF COMMISSIONERS**



W. Todd Tondee, Chairman

Excused

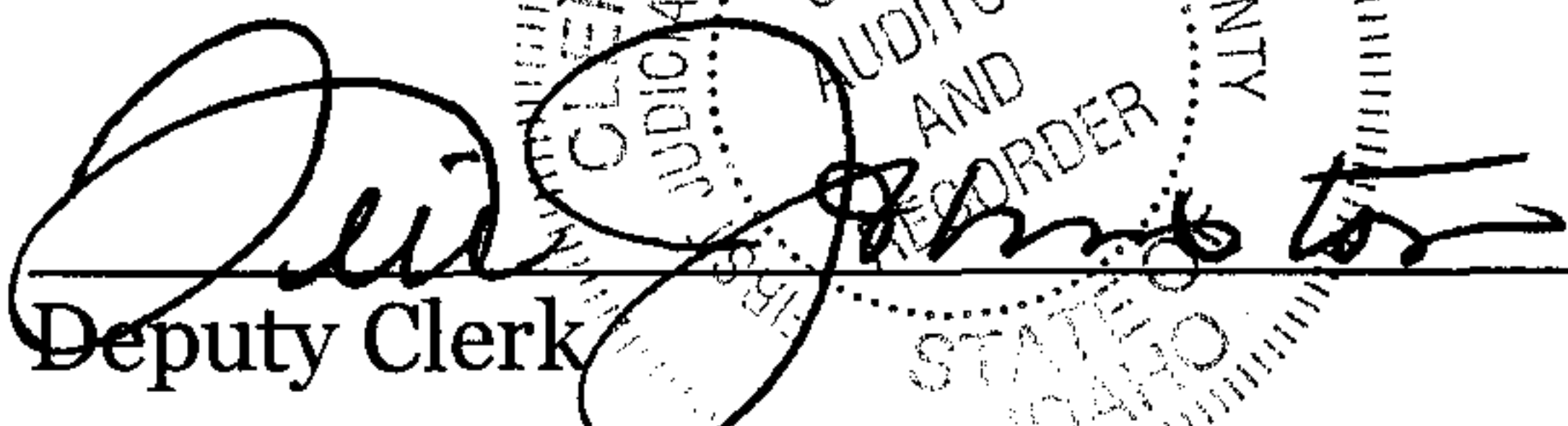
Daniel H. Green, Commissioner



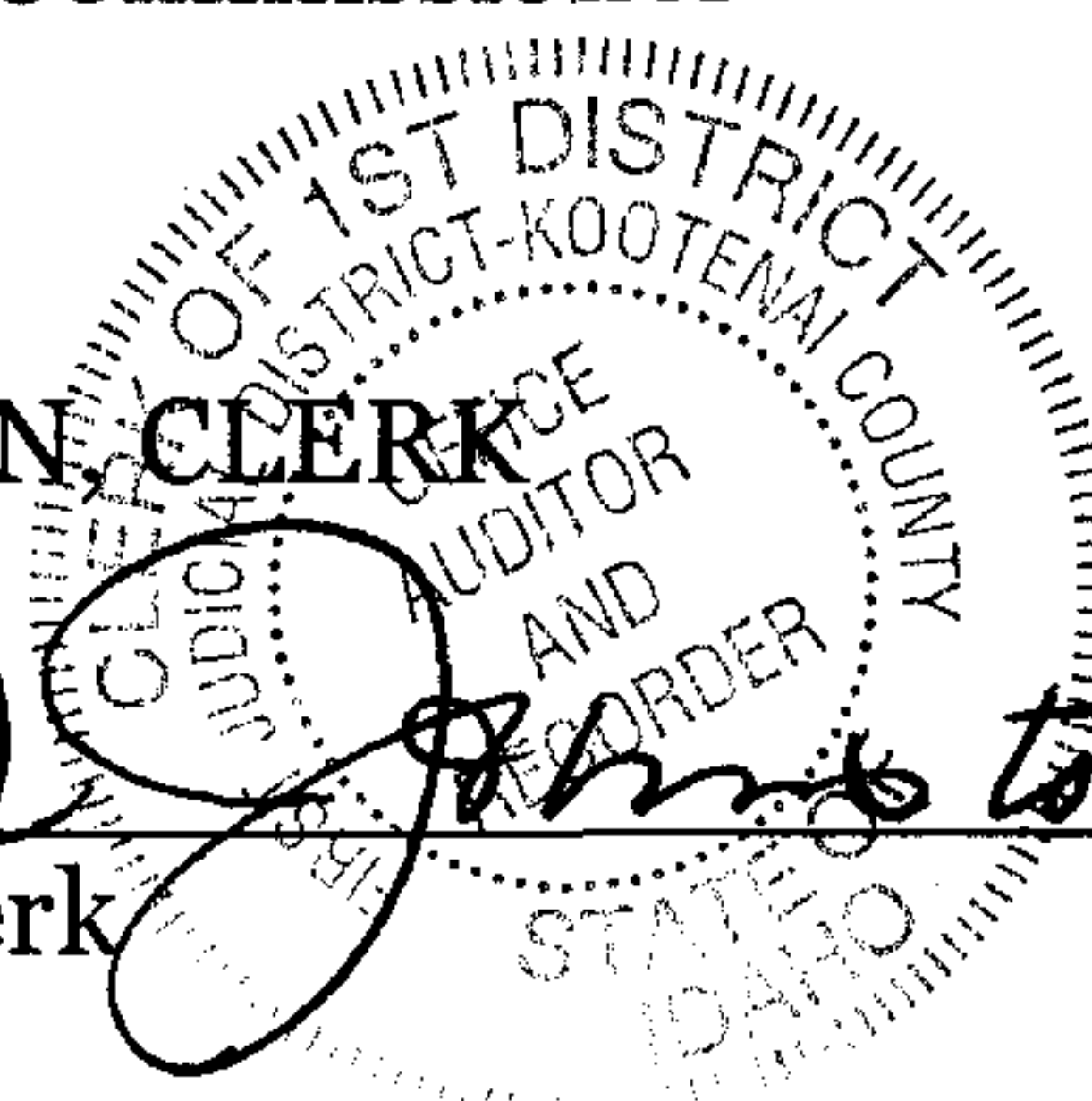
Jai K. Nelson, Commissioner

ATTEST:

JIM BRANNON, CLERK

By: 

Deputy Clerk



C: Community Development, Prosecuting Attorney (Civil Division), Resolution File