



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT Policy (Management Decisions)

Subject: Extension and Reactivation Policy	
Division: Building and Fire Safety, Development Engineering, and Current Planning	Policy No: DCD1014POL
References: Kitsap County Code Title 12, 14, 16, 17, 21 (KCC) Washington State Public Records Act (PRA)	Issue Date: 1/4/2023
Related Procedures: <ul style="list-style-type: none"> • PER2013PRO - Processing Reactivation and Extension Requests on Building Permits • PER2012PRO - Processing Land Use, Engineering & Environmental Permit Extensions • PER2016PRO - Managing Expired Building Permits Procedure 	Revision Date: 9/24/2024

- 1.0 Background:** The county's code and adopted regulations require that persons desiring to conduct or undertake certain land use actions, building or other construction, ongoing operational or other regulated activity obtain a permit to do so from the Department of Community Development. The Department has adopted and implemented procedures and programs for receiving applications, reviewing applications and issuing permits, performing necessary onsite inspections and issuing final approval of required permits. Permit applications are intended to progress through the applicable processes to their conclusion and approval in an orderly and timely manner. Applicants are required to demonstrate good faith in progressing applications through the processes and obtain final permit approval. The county's codes adopted regulations authorize the Department to establish expiration dates for permits and activities or reactivate permits once expired.
- 2.0 Purpose:** To establish conditions, limitations and procedures for extending, reactivating, and applying fees to permit extensions and reactivations.
- 3.0 Authority:**
Kitsap County Code (Multiple Titles) (KCC)
Washington State Public Records Act (PRA)
DCD Fee Schedule and Policy
- 4.0 Building and Fire (Title 14) and Road Approach Permits:**
- 4.1. Expiration**
- 4.1.1. Permit Applications.** An application for a permit shall expire **365 days** after the date that it was deemed technically complete. Permit applications shall expire and be considered abandoned if they remain in a Returned to Applicant or Approved but not issued status for **180 days**.
- 4.1.2. Construction permits issued under the IFC.** Construction permits issued under the provisions of the IFC shall expire and be considered abandoned **180 days** after the issued date.
- 4.1.3. Operational permits issued under the IFC.** Operational Permits issued under the provisions of the IFC shall contain an expiration date.

4.1.4. Other Title 14 permits. Other issued Title 14 permits shall expire and considered abandoned **365 days** after the issued date.

4.2. Extension of application and permit expiration dates. The expiration date for unexpired applications or permits may be extended. Expired permits may be reactivated in accordance with this policy.

4.2.1. Extension of Application Expiration dates.

4.2.1.1. The code official may grant one or more **180-day** extensions of the expiration date of permit applications provided that the applicant submits a written request for the extension prior the permit's expiration date describing conditions beyond the applicant's control or other justifiable cause creating the need for the extension. The code official may require documents or other supporting information from the applicant to substantiate the request.

4.2.1.2. The code official may extend the expiration date of an application where approval of the application or issuing the subsequent permit is delayed or prohibited due to continued processing of a higher order permit.

4.2.2. Extension of Expiration Dates for issued permits. The expiration date for unexpired, issued permits maybe extended. Expired permits may be reactivated in accordance with this policy.

4.2.2.1. Operational permits issued under the IFC may be extended with the approval of the fire code officially upon receiving an approved inspection and payment of permit renewal fees as applicable.

4.2.2.2. The expiration date of other unexpired, issued permits may only be extended if the permit's issue date is less than six years prior to the current date and provided further that the permit was not issued under a code older than the 2015 edition.

4.2.2.3. Obtaining an approved inspection for an unexpired, issued permit shall automatically extend the expiration date of the permit by **180 days**. Approved inspections shall be identified by the code official but may not include re-occurring (RRI) or continuous (CI) inspection or partial inspections unless such partial inspection is approved by the code official.

4.2.2.4. The code official may grant one or more **180-day** extensions of the expiration date of an unexpired, issued permit, provided that the applicant submits a written request for the extension prior the current expiration date describing conditions beyond the applicant's control or other justifiable cause creating the need for the extension. The code official may require documents or other supporting information in determining whether or not to grant the request.

4.2.3. An applicant with a permit that is not eligible for an extension must obtain a new permit(s) for the project. New permits must be applied for and are subject to all conditions under the current codes and includes all applicable fees for the permit type.

4.2.4. It is the responsibility of the applicant to remain aware of expiration dates. Failure to submit a reactivation or extension request within the stated time, may result in ineligibility or additional fees.

4.3. Associated Land Use or Site Development Activity Permits

4.3.1. Title 14 permits will not be reactivated or extended unless any associated land use or site development activity permits are valid.

4.3.2. For land use permit expiration permit expiration, refer to section 6.0 of this policy.

4.3.3. For site development activity permit expiration, refer to section 7.0 of this policy.

4.3.4. Title 14 reactivation and extension fees shall be waived if associated land use or site development activity permit is currently under review. This does not apply if the associated land use or site development activity permit is returned to the applicant.

4.4. Extensions

Extensions may be requested by the applicant or the applicant's representative. All requests must be made in writing and justifiable cause demonstrated. Permits reaching their expiration date without a scheduled inspection are eligible for an extension if:

- The permit was not submitted more than 6 years prior to the date of request or no more than 2 code cycles old. Extension date will be entered from the day of the expiration date. See section 4.10. Building Code Cycles.
- Extension fees apply, Section 4.7 Fees.
- To extend the permit, an extension fee must be paid prior to expiration date.

4.4.1. Technically Complete – Pending Payment. Not eligible for extension if permit was submitted more than 365 days prior.

4.4.2. Under Review or Reviewing Resubmitted Information. Extension fees shall be waived, and extension granted.

4.4.3. Returned to Applicant. Eligible for extension with fee if extension criteria above are met.

4.4.4. Approved and Unissued. Not eligible for extension, permit needs to be issued by applicant and expiration date will extend accordingly.

4.4.5. Issued Permits. Eligible for extension with fee if extension criteria above are met.

4.5. Reactivations

Reactivations may be requested by the applicant or the applicant's representative. All requests must be made in writing and justifiable cause demonstrated. Expired permits may be eligible for reactivation if:

- The permit was not submitted more than 6 years prior to the date of request or no more than 2 code cycles old. Reactivation date will be the date request was received by department. See section 4.10. Building Code Cycles.
- Reactivation fees apply, see Section 4.7 Fees.
- To reactivate the permit, a reactivation fee must be paid within 30 days from determination of eligibility.

Permits exceeding six (6) years or more than 2 code cycles shall be required to resubmit new permit demonstrating current code cycle.

4.5.1. Technically Complete – Pending Payment. Not eligible for reactivation if permit was submitted more than 365 days prior.

4.5.2. Under Review or Reviewing Resubmitted Information. An unapproved permit in review that has expired will be granted reactivation and reactivation fees may be waived.

4.5.3. Returned to Applicant. Eligible for reactivation with fee if reactivation criteria above are met. Except when the Title 14 permit is returned to applicant solely for an associated land use or site development activity permit that has not been issued reactivation fees may be waived.

4.5.4. Approved and Unissued. Eligible for reactivation if requested within 30 days after expiration.

4.5.5. Issued Permits. Eligible for reactivation with fee if reactivation criteria above are met.

4.5.5.1. "Grace Period" 1- 30 Days after expiration date

- For a permit that has expired within the last 30 days, the applicant may request a qualified inspection (erosion control or partial inspections do not apply) without

requesting a reactivation. If this results in an approved qualified inspection the permit will be automatically extended for 180 days after the last approved inspection date. If inspection is disapproved, a reactivation request is required.

4.6. Abandoned Permits

Abandoned permit applications and permits are subject to destruction in accordance with RCW 40.14.070 and the Washington State Retention Schedules.

4.6.1. Permit Applications not Deemed Technically Complete

Permit applications that are not deemed technically complete will be considered abandoned applications after **365 days** of no response or payment. All materials submitted are subject to destruction (paper) or cancellation (electronic) and will be processed in accordance with RCW 40.14.070 and the Washington State Retention schedules.

4.6.2. Permits Not Eligible for Reactivation

Permits no longer eligible for reactivation shall be deemed “abandoned,” and are not vested to any code, are subject to destruction (paper) or cancellation (electronic) and will be processed in accordance with RCW 40.14.070 and the Washington State Retention schedules.

4.7. Management of Expired Permit Documents See PER2016PRO

4.7.1. Notification

Property Owners will be notified when the:

- Permit application has been ready for their action after 30 days
- Permit application or permit will expire within the next 30 days

4.7.2. Work has Started

Please refer to 4.1.

4.7.3. No Work has Started

Once a project has been deemed abandoned all records associated with the permit are subject to destruction in accordance with RCW 40.14.070 and the Washington State Retention Schedules.

4.8. Fees

4.8.1. Extensions and reactivations are subject to fees.

Extensions

Extensions to active permits will be one half of the hourly rate.

Reactivation Fee (30 days < 1 year from expiration date)

To reactivate a permit after permit expiration, if within one year of expiration, the Permit Fee shall be one hour at the current hourly rate, provided no changes have been made, or will be made in the original plans and specifications for such work.

Reactivation Fee (over 1 year to 2 years from expiration date)

To reactivate a permit any time after the permit has been expired for more than one year but less than two, the Permit Fee shall be two hours at the current hourly rate.

Reactivation Fee (over 2 years to 6 years from expiration date)

To reactivate a permit any time after the permit has been expired, fees shall double for each year expired up to the original full permit fee.

4.8.2. Extension fees shall be paid prior to expiration date. If payment is not received within this timeframe, the permit will be expired and may not be eligible for extension or reactivation in the future or may be subject to additional fees.

4.8.3. Reactivation fees shall be paid within 30 days of the determination of eligibility. If payment is not received within this timeframe, the permit will be expired and may not be eligible for extension or reactivation in the future or may be subject to additional fees.

4.9. Justifiable Cause

Justifiable cause is defined as having a justifiable cause or reason why the project has been unable to move forward at this time. Justifiable cause is determined by consideration of a number of factors, including:

- Whether the permit holder has demonstrated reasonable diligence under the permit
- The permit holder had demonstrated good faith effort (see section 4.10 Good Faith Effort)
- Whether development was delayed by factors outside the applicant's control
- Whether denial of the extension will result in undue hardship to the applicant.

4.10. Good Faith Effort

- If a permit has been returned and an Information Request has been issued, a good faith effort would include submitting complete and timely responses to the information request and/or moving forward with dedications, adjustments, or appeals as necessary to satisfy all outstanding reviews.
- If a permit is Approved to Issue, a good faith effort would include issuing and paying for the permit and issue to self within 180 days of the approval date.
- If a permit is Issued, a good faith effort would include commencing work, requesting, and passing an inspection within 180 days.
- If a permit is Issued, a good faith effort would include continuous work on the project and a request for and passing an inspection.
Proof of reason why development was delayed due to factors outside their control.

4.11. Building Code Cycles

The state building code is regularly updated every three years.

Code Cycles: (submitted between):

- 2021 – 3/13/2024 – Present
- 2018 - 7/1/2020 – 3/12/2024
- 2015 – 7/1/2016 – 6/30/2020

5.0 Transitory Housing Permits (Title 17) Policy

Subject to Kitsap County Code 17.505.030 and 21.04.200(F).

6.0 Land Use and Development Engineering Permits (Title 21) Policy

Exceptions may be considered at the discretion of the Department Director if good faith effort has been made or internal error.

6.1. Land Use Permits

Subject to Kitsap County Code 16.04.100, 21.04.270(B), and 21.04.200(F).

6.2. Conditional Use and Administrative Conditional Use Permits

Subject to Kitsap County Code 21.04.200.

7.0 Site Development Activity Permits

Exceptions may be considered at the discretion of the Department Director if good faith effort has been made or internal error.

Subject to Kitsap County Code 12.10.055 and 12.16.110 and Department of Community Development Fee Schedule