

WAC 242-03-900 Determination of noncompliance—Compliance schedule and notice of compliance hearing. (1) In those cases where the board, in a final order, has made a determination of noncompliance pursuant to RCW 36.70A.300 (3)(b), the board shall remand the matter to the affected state agency, county, or city.

(2) The board's final decision and order shall specify a reasonable time not in excess of one hundred eighty days, or such longer time as determined by the board in cases of unusual scope or complexity, within which the state agency, county, or city shall comply. In its order the board shall establish a compliance schedule, including a schedule for briefing and hearing, and may require periodic reports on the progress the state agency, county, or city is making toward compliance.

(3) The compliance schedule in the board's order shall set a hearing date for the purpose of determining whether compliance has been achieved and shall constitute notice of the compliance hearing. The compliance hearing shall be given the highest priority of business.

(4) The board may notify the department of a finding of noncompliance. The purpose of the notification is for the department to provide technical assistance to the noncompliant jurisdiction to facilitate speedy resolution of the finding of noncompliance.

[Statutory Authority: RCW 36.70A.270(7). WSR 21-17-069, § 242-03-900, filed 8/12/21, effective 9/12/21; WSR 11-13-109, § 242-03-900, filed 6/21/11, effective 7/22/11.]