

CITY OF KENNEWICK  
ORDINANCE NO. 26-\_\_\_\_\_

AN ORDINANCE RELATING TO PUBLIC WORKS CONSTRUCTION  
STANDARDS AND ADDING SECTION 5.56.395 TO THE KENNEWICK  
MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

**Section 1.** Section 5.56.395 of the Kennewick Municipal Code, be, and the same hereby is, added to read as follows:

**5.56.395: Closure of Unpermitted Accesses - Closure criteria, permit requirements.**

Any unpermitted accesses to the city street system which were in existence on July 1, 2001, shall not require the issuance of a permit and may continue to provide access to the city street system, unless the Director determines that the unpermitted access does not meet minimum acceptable standards of highway safety. The Director may require that a permit be obtained if a significant change occurs in the use, design, or traffic flow of the access or to the city street to which it provides access. If a permit is not obtained, the Director may initiate action to close the unpermitted access point. Any unpermitted access opened subsequent to July 1, 2001, is subject to closure. The notification process is as follows:

- (1) Notification. The Director shall serve notice upon the property owner of an access to a city street that is found to be unpermitted. This notice shall clearly describe the street access violation and shall establish a thirty-day time limit for either applying for a access permit or requesting an adjudicative proceeding pursuant to KMC 4-04. The sole issue to be determined at the adjudicative proceeding is whether a permit should be required. The notice will further advise the property owner that failure to act in either of the prescribed ways within the time period will result in closure of the unpermitted access.
- (2) Permit application. If a permit application is filed within the thirty days, and the application is denied, the Director shall notify the property owner of the denial. The property owner may then proceed with the permit application process set forth in Chapter 4.12 KMC or request an adjudicative proceeding pursuant to Chapter 4.04 KMC within ten days. Failure to act in either of those prescribed ways within the time period set forth in the rules will result in Director closure of the unpermitted access. If the location and design of the access in the permit application are acceptable to the Director, the existing access may continue to be used for a specified period of time or until the access specified in the permit application is constructed.

- (3) Approval conditions. Modifications, relocation, or closure of unpermitted accesses may be required by the Director as a requirement of permit approval, subject to the adjudicative proceeding provisions of Chapter 4.04 KMC.

(Ord. 26-\_\_\_\_\_ Sec. 1, 2026)

**Section 2.** This ordinance shall be in full force and effect five (5) days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, and signed in authentication of its passage this 5<sup>th</sup> day of May, 2026.

Attest:

\_\_\_\_\_  
JASON R. MCSHANE, Mayor

\_\_\_\_\_  
KRYSTAL JOHNSTON,  
City Clerk

Approved as to Form:

\_\_\_\_\_  
LAURENCIO SANGUINO,  
City Attorney

DATE OF PUBLICATION:

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ORDINANCE EFFECTIVE DATE:

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