

**18.12.120 Archaeological Sites Revised 6/16**

- A. Whenever in the course of excavation or development, archaeological materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) or human remains are observed during project activities, all work in the immediate vicinity shall stop. The Department of Archaeology and Historic Preservation, the Building Official, the Preservation Officer, any the affected tribe(s) and the county coroner (if applicable) shall be contacted immediately by the property owner or the City in order to help assess the situation and determine how to preserve the resource(s).
- B. The property owner shall arrange for an inspection of the site within seven (7) calendar days by one or more archaeology professionals at the expense of the property owner. The Department of Archaeology and Historic Preservation (DAHP) maintains a list of archaeology professionals. The archaeology professionals shall make recommendations as to site restoration, site protection or removal of artifacts. The DAHP, Building Official, property owner, affected tribes, and archaeologist will consult on the treatment of the archaeological resources.
- C. If the archaeological inspection indicates the site is significant, or if the site has previously been recorded by the State Department of Archaeology and Historic Preservation, the Building Official and the Preservation Officer shall consult that agency for its recommendation. The Building Official may revoke or temporarily suspend the permit based on the site's archaeological importance. Or, the Building Official shall add mitigating conditions to the project approval in order to protect these sites or artifacts. For sites that are not determined significant but are of local interest, the Building Official may add appropriate mitigating conditions. In any case, the discovery of archaeological materials requires that the property owner must comply with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48). Failure to comply with this requirement could constitute a Class C Felony. If federal funds or permits are involved in the project, notification to the appropriate federal agency and the Advisory Council shall occur in addition to the above-listed parties, per 36 CFR Sec. 800.12.
- D. Where known archeological sites, as identified by Department of Archaeology and Historic Preservation (DAHP), are proposed for development, the Review Authority shall consult DAHP for their recommendations, and may deny or condition the permit where the archaeological value of the site outweighs the development value, if compensation is available or require recovery of the archaeological materials or other appropriate mitigation measures.
- E. The City of Olympia, through an agreement with the DAHP and the appropriate tribes, will reference identified archaeological sites in reviewing land use actions.

(Ord. 7011 §1, 2016; Ord. 6491 §8, 2007).