



# Health and Community Services

Cynthia Foley

Council Initiated:

☒ Yes

☐ No

**ECAF:** 2024-0168

**Ordinance:** 24-011

**Type:**

☐ Contract

☐ Board Appt.

☒ Code Amendment

☐ Budget Action

☐ Other

**Requested Handling:**

☒ Normal

☐ Expedite

☐ Urgent

**Fund Source:**

☐ General Fund

☐ Other

☒ N/A

**Executive Rec:**

☐ Approve

☐ Do Not Approve

☒ N/A

**Approved as to**

**Form:**

☒ Yes

☐ No

☐ N/A

**Subject:** Annual Testing of County-Owned Housing Facilities for Hazardous Chemicals

**Scope:** Ordinance 24-011 adds a code section to SCC Chapter 4.48 Procedures for the Management and Disposition of County-Owned Personal and Real Property<sup>1</sup>. The new section requires annual testing of County-owned housing facilities for hazardous chemicals as defined in RCW 64.44.010(4)<sup>2</sup>. This definition includes:

- Methamphetamine in amounts exceeding the decontamination standards set by the department when found in transient accommodations such as hotels, motels, bed and breakfasts, resorts, inns, crisis shelters, hostels, and retreats that are regulated by the department; and
- Substances associated with the illegal manufacture of controlled substances, the controlled substance or substances being manufactured; and
- Any dangerous or extremely hazardous waste (RCW 70A.300.010 (1) and (7)<sup>3</sup>).

Testing will be implemented by the Department of Facilities and Fleet and the specific chemicals being tested are selected at the discretion of the Director of the Department of Facilities and Fleet. Test results will be provided to Council upon request.

Testing will take place at County-owned housing including unsecured shared areas such as bathrooms, laundries, and lobbies. Tested areas include locations defined as "property" under RCW 64.44.010(6):

- Any real or personal property, or segregable part thereof, that is involved in or affected by the unauthorized manufacture, distribution, storage, or use of hazardous chemicals.
- This includes but is not limited to single-family residences, units of multiplexes, condominiums, apartment buildings, transient accommodations, boats, motor vehicles, trailers, manufactured housing, any shop, booth, garden, or storage shed, and all contents of the items referenced in this subsection.

**Duration:** N/A

**Fiscal Impact:** ☐ Current Year ☐ Future-Year ☒ N/A

The Office of the County Executive does not anticipate a significant fiscal impact.

**Authority Granted:** N/A

<sup>1</sup> [ch. 4.46 Procedures for Management and Disposition of County-Owned Personal and Real Property | Snohomish County Code](#)

<sup>2</sup> [RCW 64.44.010: Definitions. \(wa.gov\)](#)

<sup>3</sup> [RCW 70A.300.010: Definitions. \(wa.gov\)](#)

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**Background:** State law addresses property contamination from illegal drugs and creates procedures for reporting contamination when it is identified. The Legislative Finding section of RCW 64.44 Contaminated Properties<sup>4</sup> states:

*“The legislature finds that some properties are being contaminated by hazardous chemicals used in unsafe or illegal ways in the manufacture of illegal drugs or by hazardous drugs contaminating transient accommodations regulated by the department. Innocent members of the public may be harmed by the residue left by these chemicals when the properties are subsequently rented or sold without having been decontaminated.”*

WAC 246-205-541(1)<sup>5</sup> sets a methamphetamine decontamination standard of less than or equal to 1.5 micrograms per 100 square centimeters. No health-based guidelines or regulations exist for fentanyl on surfaces.

On August 17, 2022, Council approved the purchase of a 76-unit hotel in Everett for \$10,823,000 with the passage of Motion 22-330<sup>6</sup> and the purchase of 54-unit hotel in Edmonds for \$9,075,000 in Motion 22-338<sup>7</sup>. On April 19, 2023, Council approved a bid award recommendation for the decontamination and abatement of the facility in Edmonds<sup>8</sup> in the amount of \$348,999.92.

**Requested Action:** Move to GLS on February 28, 2024, to set time and date for Public Hearing.

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<sup>4</sup> [Chapter 64.44 RCW: CONTAMINATED PROPERTIES \(wa.gov\)](#)

<sup>5</sup> [WAC 246-205-541:](#)

<sup>6</sup> [2022-0712 - Motion 22-330 \(legistar.com\)](#)

<sup>7</sup> [2022-0764 - Amended Motion 22-338 \(legistar.com\)](#)

<sup>8</sup> [2023-0426 - Bid Award Recommendation - SIGNED \(legistar.com\)](#)