



Health and Community Services

Nicole Gorle

Council Initiated:

☐ Yes

☒ No

ECAF: 2024-0267

Ordinance: 24-017

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: Repealing SCC 7.44 – Sewage Disposal System

Scope: Ordinance 24-017 would repeal SCC 7.44 – Sewage Disposal System.

Duration: n/a

Fiscal Impact: ☐ Current Year ☐ Multi-Year ☒ N/A

Authority Granted: n/a

Background: The Snohomish Health District was incorporated into the County on January 1, 2024 and is now operating as the Snohomish County Health Department. This integration took place through three separate ordinances¹. During integration into the County, the ordinance that established the Health Department also repealed multiple sections of County Code that were obsolete. The Health Department has identified another section of County Code that is obsolete and is requesting it be repealed. A little background on the section being requested for repeal:

In 1970, the County adopted SCC 7.44 regulating Sewage disposal systems (see attachment 1). Since then, the state has adopted legislation that has made this section of county code no longer relevant as the authority for regulating this has been given to the State Board of Health. [RCW 43.20.050\(2\)\(c\)](#) gives the State Board of Health (BOH) the rule making, delegation, and enforcement authority for various areas, including to “adopt rules and standards for prevention, control, and abatement of health hazards and nuisances related to the disposal of human and animal excreta and animal remains”. These rules have been established under [246-272A WAC](#).

1891 – RCW 43.20 Adopted

1965 – RCW 43.20 gets its first major overhaul through session law 1965

1967 – RCW 43.20.050 amended to include regulation of sewage under the BOH powers and duties

1970 – County adopts SCC 7.44 regulating Sewage disposal systems

2005 – WAC 246-272A is adopted, under the authority provided from RCW 43.20.050(c), pertaining to disposal of human waste (sewage).

Requested Action: Move to Administrative Matters on April 3rd to set time and date for a Public Hearing.

¹ Ordinance 22-060 – Interlocal Agreement with the Health District, transferring its employees, operations, powers, duties, enforcement, and assets to the County.

Ordinance 22-061 – Creating the Health Department, fund, and other operational aspects of the new department.

Ordinance 22-062 – Repealing the establishment of a Health District in County Code, and changing references of the Health District, to Health Department throughout code.

7/20/70

Board of County Commissioners
SNOHOMISH COUNTY, WASHINGTON

SEWAGE WASTE DISPOSAL RESOLUTION ADOPTED

PURSUANT TO A PUBLIC HEARING held before the Board of Snohomish County Commissioners in their office in the Court House, Everett, Washington, on this 20th day of July, 1970, at the hour of 2:30 o'clock p.m. notice of which was given according to law, the following SEWAGE WASTE DISPOSAL RESOLUTION for SNOHOMISH COUNTY, which Resolution is replacing SECTION 7.44 of the SNOHOMISH COUNTY CODE, is hereby adopted.

RESOLUTION

Sections:

7.44.010 Purpose. This Resolution relates to and regulates sewage disposal systems, requires permits, defines offenses and provides penalties. This resolution is intended to in no way affect any Resolution of the Snohomish Health District dealing with the same subject matter.

7.44.020 Definitions.

(1) Sanitary drainage system. The piping which conveys sewage from plumbing fixtures to a public sewer or private sewage disposal system.

(2) Sewage. Any liquid or liquid borne waste from the ordinary living processes, or liquid or liquid borne waste which contains animal or vegetable matter in suspension or solution, or liquid or liquid borne waste which may contain a chemical in solution, and which may be lawfully discharged into a public sanitary sewer.

(3) Sewage disposal system. Sanitary drainage systems, septic tanks, grease traps, leaching pits, surface and subsurface leaching filter beds, and appurtenances; or other approved facilities for the disposal of sewage by means other than through a public sewer.

7.44.030 Every person, firm or corporation shall discharge all sewage in the following manner in Snohomish County:

(a) When water is or becomes available under pressure, every dwelling, unit, mobile home and every other establishment or premises required to provide toilet facilities are each required to construct a sanitary drainage system, and every plumbing fixture and every sanitary drainage system not connected to a public sewer or not required by law to be connected to a public sewer, shall be connected to a private sewage disposal system. When a public sewer is at all accessible, connections must be made to the public sewage system.

(b) Pit privies are permitted:

1. When water is not available under pressure; or
2. During period of construction; or
3. Any other condition of a temporary nature that is approved by the health authority having jurisdiction, provided that when water under pressure becomes available, all pit privies shall be concurrently replaced by a private sewage disposal system or public sewer.

(c) Except where multiple systems are permitted by the health authority having jurisdiction, all sewage disposal systems shall be located upon the same lot as the buildings they are designed to serve unless an easement therefor upon abutting property is recorded and such location is approved by the health authority.

7.44.040. It shall be unlawful for any person, firm or corporation to:

(a) Construct, install or alter a sewage disposal system unless a permit has been issued therefor by proper health authority having jurisdiction over the matter; or

(b) To design, construct, install or alter a sewage disposal system unless in possession of such current, valid certificate of competency as is required by applicable issuing health authority.

(c) To cause or permit sewage to be carried through such sewage disposal system until final approval for use of such system has been granted by such health authority.

7.44.050. It shall be unlawful to maintain any sewage disposal system or sanitary drainage system in a manner which shall permit sewage to be directly or indirectly discharged upon the surface of the ground or into any waters within the county unless the contents of said system have been subject to approved purification and bactericidal treatment.

7.44.060. Any person, firm or corporation who shall violate or fail to comply with any provision of this resolution, or who shall counsel, aid or abet such violation or failure to comply shall be deemed guilty of a misdemeanor.

7.44.070. Compliance with the terms and conditions of this resolution shall constitute minimum health sanitation and safety provisions and material noncompliance with said terms and conditions and shall constitute a public nuisance and be subject to all criminal, civil and equitable remedies as such.

7.44.080. The Snohomish County Resolution of December 17, 1962 and of June 20, 1955 and the Snohomish County Code Sections 7.44.010 through 7.44.190 are hereby repealed.

This Resolution shall become effective July 20, 1970.

COPY RECEIVED:

SANITATION C. Mc

HEALTH B. Sweet

PROS. ATTY. (Gene Butler) 8/18/70

ENGINEER HDM/jm

PLANNING P. Lind

Done in regular Session this 20th day of July, 1970.

ATTEST:

STANLEY DUBUQUE
County Auditor and Ex-Officio Clerk of the Board

By Marcelle Strickley
Deputy Auditor

Richard Forsgren Chairman
Sam R. Kelly Commissioner
Jack H. Hilt Commissioner

Constituting the Board of County Commissioners
of Snohomish County, Washington

July 20

Affidavit of Publication

STATE OF WASHINGTON,
County of Snohomish

ss.

I, JERRY DISTEFANO being first duly sworn on oath depose and say: That I am the

FINANCE OFFICER of the EVERETT DAILY HERALD,
a daily newspaper printed and published in the City of Everett, County
of Snohomish, and State of Washington; that said newspaper is a news-
paper of general circulation in said County and State; that said news-
paper has been approved as a legal newspaper by order of the Superior

Court of Snohomish County, and that the notice

NOTICE OF PUBLIC HEARING - RE: ADOPTION OF NEW
RESOLUTION PERTAINING TO SEWAGE WASTE DISPOSAL

a printed copy of which is hereunto attached, was published in said
newspaper proper and not in supplement form, in the regular and entire
edition of said paper on the following days and times, namely:—

JULY 7, 1970

and that said newspaper was regularly distributed to its subscribers
during all of said period.

Jerry Distefano
Subscribed and sworn to before me this 8th

day of JULY 70, 1970

Walter Brashers
Notary Public in and for the State of Washington,
residing at Everett, Snohomish County.

NOTICE OF
PUBLIC HEARING
RE: ADOPTION OF NEW
RESOLUTION PERTAINING
TO SEWAGE
WASTE DISPOSAL

NOTICE IS HEREBY GIVEN
that a PUBLIC HEARING will be
held on MONDAY, JULY 20, 1970,
at the hour of 2:30 o'clock p.m. at
the County Commissioners' Office,
Court House, Everett, Washington,
to consider the passage of a pro-
posed new Resolution pertaining to
SEWAGE WASTE DISPOSAL,
which resolution will replace SEC-
TION 7.44 of the SNOHOMISH
COUNTY CODE. Said proposed
Resolution is as follows:

RESOLUTION

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7.44.080. The Snohomish County Resolution of December 17, 1962 and of June 26, 1955 and the Snohomish County Code Sections 7.44.010 through 7.44.190 are hereby repealed.

This Resolution shall become effective July 20, 1970.

Dated this 5th day of July, 1970.

STANLEY DUBUQUE, County

Auditor & Ex-Officio

Clerk of the Board

of County Commissioners.

By: MARCELLA STRIEBY,

Deputy

Published: July 7, 1970.