

SNOHOMISH HEALTH DISTRICT
RESOLUTION OF THE BOARD OF HEALTH

19 - 76

RESOLUTION NUMBER: 19 - 76

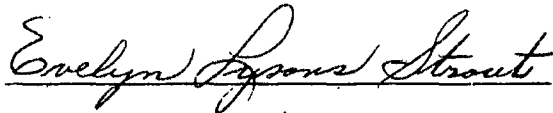
RESOLUTION SUBJECT: A RESOLUTION PERTAINING TO THE USAGE
OF SEWAGE HOLDING TANKS

WHEREAS the Board of Health of Snohomish Health District did adopt, on March 11, 1969, a resolution regulating the usage of sewage holding tanks in Snohomish County, such resolution (copy attached) commonly referred to as the "Holding Tank" resolution, and

WHEREAS that regulation has now been superceded by the "On-Site Sewage Disposal Regulation": (Washington Administrative Code Chapter 248-96), adopted by the State Board of Health,

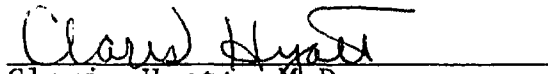
NOW THEREFORE the "Holding Tank" resolution previously adopted by the Snohomish Health District Board of Health is hereby rescinded and the regulations governing usage of sewage holding tanks as adopted by the State Board of Health will henceforth govern the usage of sewage holding tanks in Snohomish County.

Adopted this 21st day of September 1976.



Board of Health

ATTEST:


Claris Hyatt, M.D.
Health Officer

September 21, 1976

CH: dey

RESOLUTION

WHEREAS, the Director of Environmental Health Division of the Snohomish Health District has made report to the Snohomish Health District Board of Health concerning private sewage disposal facilities,

WHEREAS, it appears that in certain instances prompt civil action should be instituted in order to abate a public nuisance created by the breakdown of such private sewage disposal facilities which results in the accumulation of material carrying communicable disease bacteria injurious to human life,

WHEREAS, at a regular meeting of the Board of Health of the Snohomish Health District held on the 11th day of March, 1969, a motion was unanimously adopted with reference to Health Officer orders and cooperation with local governmental units insofar as public nuisances caused by breakdown of private sewage disposal facilities, and

WHEREAS, at said meeting as part of said motion the Board of Health also directed the Environmental Health Division and its Director to cease the issuance of any holding tank permits and formulated a policy hereinafter set forth in Paragraph 3 of this Resolution, directing the attorney for the Health District to prepare a formal Resolution carrying out said motion,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Snohomish Health District of the Board of Health as follows:

1. That the form of Health Officer's Order attached hereto is hereby approved for use in the discretion of the Health Officer in those situations resulting from defective private sewer disposal facilities which result in a critical condition

potentially hazardous to the public health and which require immediate redress. That the District Health Officer be and he is hereby authorized in the event situations arise within the County of Snohomish which in his discretion are critical as a result of the breakdown of private sewer disposal facilities to immediately request the assistance of the municipal attorneys for the particular municipal governmental agency in which such public nuisance may be created to commence with the advice and counsel of the Health District attorney a civil action seeking injunctive relief to immediately abate such public health hazard. That such actions be undertaken by and with the consent of the chief legal officer of the particular governmental agency having immediate jurisdiction over the property involved and with the consultation and assistance of the Health District attorney who is authorized to associate with such a legal staff for purposes of a civil action seeking equitable relief.

2. That the cost of such litigation insofar as reasonably possible be borne by the respective governmental authority involved with the consent of such authority and the Health Officer be authorized to incur expenses, if necessary, by way of filing fees, witness fees, and other expenses attendant upon the proper presentation of this type of case as may be approved by the Health District attorney and the Health Officer and that such expenditures be taken from that portion of the Health District budget reserved for such purposes under the classification "Contractual Services."

3. That heretofore the Environmental Health Division has granted permits for the installation of holding tanks for private sewage disposal facilities, and based upon the report of the Director of Environmental Health, it appears that, in the interest of public health, safety and welfare, such private sewage facilities that rely upon

holding tanks should no longer be granted said permits in the County of Snohomish. Except that where prior commitments have been made by the Environmental Health Division (Exhibit A) these permits shall be issued. A policy is now declared effective as of the 11th of March, 1969 that no further holding tanks shall be permitted in the County of Snohomish and pursuant to motion of the Board of Health duly adopted at said March 11, 1969 meeting the Environmental Health Division is directed to cease the issuance of any such permits from and after the 11th day of March, 1969 and to notify engineering and architectural offices in the County of Snohomish of this decision and the new policy as fixed and declared by the Board of Health through said motion and the adoption of this Resolution. PROVIDED, however, as to any use of a parcel of land by a municipal corporation organized and existing under the laws of the State of Washington, the Board of Health may grant an exception to this policy and permit the use on a temporary basis of a holding tank system for sewage waste disposal upon the recommendation of the Director of Environmental Health, consent of the District Health Officer, and approval by a majority action of the District Board of Health.