

**SNOHOMISH
HEALTH
DISTRICT**

M. WARD HINDS, M.D., M.P.H.
Health Officer

DISTRICT MEMBERS

COUNTY

Snohomish

CITIES AND TOWNS

- Arlington
- Brier
- Darrington
- Edmonds
- Everett
- Gold Bar
- Granite Falls
- Index
- Lake Stevens
- Lynnwood
- Marysville
- Mill Creek
- Monroe
- Mountlake Terrace
- Mukilteo
- Snohomish
- Stanwood
- Sultan
- Woodway

**SNOHOMISH HEALTH DISTRICT
Courthouse
Everett, WA 98201**

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**SNOHOMISH HEALTH DISTRICT
RESOLUTION OF THE BOARD OF HEALTH**

RESOLUTION NUMBER: 89 - 30

**RESOLUTION SUBJECT: PROHIBITING THE CREATION OF BUILDING
LOTS DEPENDENT UPON OFF-SITE EASEMENTS
FOR ON-SITE SEWAGE DISPOSAL DRAINFIELDS**

WHEREAS RCW 70.05.070 requires that "The local health officer, acting under the direction of the local board of health...shall:

- (1) Enforce the public health statutes of the state, rules and regulations of the state board of health and the secretary of social and health services, and all local health rules, regulations and ordinances within his jurisdiction;
- (2) Take such action as is necessary to maintain health and sanitation supervision over the territory within his jurisdiction....", and

WHEREAS Chapter 248-96 WAC entitled RULES AND REGULATIONS OF THE STATE BOARD OF HEALTH — ON-SITE SEWAGE DISPOSAL SYSTEMS have been adopted by the Snohomish Health District; and

WHEREAS Chapter 248-96-11 proclaims the purpose of the regulations is to assure protection of public health and minimize risk of exposure to sewage and further proclaims these minimum functional regulations represent the very minimum standards; and

WHEREAS WAC 248-96-018 states, in part, that "The health officer and local board of health shall administer these regulations...", and

WHEREAS WAC 248-96-025, section (1), states, in part, that "Local boards of health may adopt local rules and regulations governing on-site sewage systems. Local rules, regulations and guidelines shall be consistent with, and at least as stringent as, the state board of health regulations.", and

WHEREAS WAC 248-96-090 sets forth a requirement that newly-created lots be sized in a manner that provides "...the minimum gross land area required per unit volume or single family residence based upon soil type and the type of water supply.", and

WHEREAS the Snohomish Health District Board of Health believes that the minimum land area requirements were established to provide general conditions, soil qualities, and areas sufficient to satisfactorily treat septic tank effluent and so sized to retain and treat sewage on-site in the interest of the Public Health; and

WHEREAS historically, the Snohomish Health District policy has been not to approve permits for newly created lots dependent upon off-site easements for drainfields associated with on-site sewage disposal systems, and

WHEREAS the utilization of off-site drainfield easements in the creation of new lots would allow close clustering of drainfields and the over utilization of whatever acceptable soils can be found in plats composed of land that is generally unsuitable for on-site sewage disposal, and

WHEREAS drainfields depend upon soils' fragile structures to adequately treat septic tank effluent and drainfield easements that are disturbed permanently lose that soil structure, and

WHEREAS unlike other easements given to accommodate construction or activity, drainfields are dependent upon a work of nature that cannot be repaired, and

WHEREAS the Snohomish Health District has found on-site septic system owners to be less likely to correct/repair off-site failures; and

WHEREAS, although the Snohomish Health District Board of Health believes its interpretation and application not to approve permits for newly created lots dependent upon off-site drainfields for on-site sewage disposal systems is consistent with Chapter 248-96 WAC and therefore not a local rule or regulation requiring approval by the Department of Social and Health Services;

NOW THEREFORE, however, in the interest of the Public Health, the Snohomish Health District Board of Health, does, for the sake of clarity, adopt the following additional statement to WAC 248-96-020 (12) for the definition of "on-site sewage system":

However, relative to the creation of new lots, all such piping, treatment devices or other facilities that convey, store, treat, or dispose of sewage, including replacement systems, shall be located within the boundaries of the lot where the sewage originates.

So that the local definition of on-site sewage system shall in its entirety read as follows:

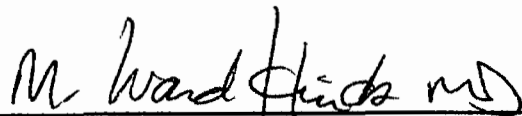
Any system of piping, treatment devices, or other facilities that convey, store, treat, or dispose of sewage on the property where it originates or on adjacent or nearby property under the control of the user where the system is not connected to a public sewer system. However, relative to the creation of new lots, all such piping, treatment devices or other facilities that convey, store, treat, or dispose of sewage, including replacement systems, shall be located within the boundaries of the lot where the sewage originates.

Approved this 6th day of June, 1989.


Edward M. Morrow, Chairman

Board of Health

Attest:



M. Ward Hinds, M.D., M.P.H.
Health Officer

Approved by the Department of Social
and Health Services:

Name and Date

June 6, 1989



Richard J. Thompson
Secretary

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Olympia, Washington 98504-0095

August 29, 1989

Robert Pekich, MPA
Director of Environmental Health
Snohomish Health District
Courthouse
Everett, Washington 98201

Dear Mr. Pekich

In accordance with the procedure established in WAC 248-96-025, proposed amendment to the Snohomish Health District rules and regulations for on-site sewage disposal systems (Resolution 89-30) has been reviewed.

The proposed amendment is consistent with the intent of WAC 248-96 and is hereby approved.

This resolution shall be implemented as a rule or regulation in Snohomish County.

Sincerely,

CAROLE J. WASHBURN
Acting Director
Division of Health, ET-21

