



**SNOHOMISH
HEALTH
DISTRICT**

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SNOHOMISH HEALTH DISTRICT
RESOLUTION OF THE BOARD OF HEALTH

97-03

RESOLUTION NUMBER: 97-03

RESOLUTION SUBJECT: SUPPORT OF PROPOSED STATE LEGISLATION ON ADMINISTRATIVE
SEARCH WARRANTS FOR LOCAL PUBLIC HEALTH

WHEREAS it is not unusual for local public health officials to have need to enter upon private property in order to inspect for public health hazards, such as failing on-site septic systems or garbage accumulations, and

WHEREAS recent Washington State Supreme Court decisions (Seattle vs McCready) have found that State law does not authorize courts to issue administrative search warrants to local public health jurisdictions, and

WHEREAS these Washington State Supreme Court decisions potentially have the effect of restricting local public health officials from inspecting private property without the property owner's consent, even if a public health hazard is likely to exist on the property, and

WHEREAS an inability to enter upon private property for the purpose of verifying a public health hazard so that correction measures can be initiated has the potential for allowing such hazards to go uncorrected and cause preventable disease,

NOW THEREFORE the Snohomish Health District Board of Health adopts this resolution in support of the attached position paper and draft legislation proposed by the Washington State Association of Local Public Health.

ADOPTED this 14th day of January, 1997.

John Garner, Chair
Board of Health

ATTEST:

M. Ward Hinds, MD, MPH
Health Officer

January 14, 1997