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ORDINANCE NO. 496 AN ORDINANCE AMENDING CHAPTER 8.16 OF THE WALLA WALLA COUNTY CODE, LIMITING THE CIRCUMSTANCES IN WHICH STAFF WILL DEVELOP INFORMATION RELATING TO SEPTIC PERMITS.

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Grantor

1. **Walla Walla County Commissioners**
- 2.
- 3.

Additional names on page ____ of document.

Grantee

1. **The Public**
- 2.
- 3.

Additional names on page ____ of document.

Legal description (i.e.: lot and block or section township and range)

n/a

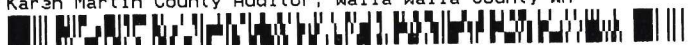
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Assessors Parcel Numbers

n/a

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**BOARD OF COUNTY COMMISSIONERS
WALLA WALLA COUNTY, WASHINGTON**

ORDINANCE NO. 496

AN ORDINANCE AMENDING CHAPTER 8.16 OF THE WALLA WALLA COUNTY CODE, LIMITING THE CIRCUMSTANCES IN WHICH STAFF WILL DEVELOP INFORMATION RELATING TO SEPTIC PERMITS.

Whereas, Septic permitting is governed by state statutes and the Washington Administrative Code (WAC); and

Whereas, Local Health Jurisdictions (which includes the Walla Walla County Board of Health) are responsible for enforcing these statutes at the local level, through the Local Health Officer; and

Whereas, As required by the state statutes, the Local Health Officer oversees the staff employed by the Walla Walla County Department of Community Health; and

Whereas, WAC 246-272A-0200(1) has detailed permit requirements that must be submitted by an applicant for a septic permit; and

Whereas, Because of the complexity of these requirements, WAC 246-272A-0200(3) allows for the Local Health Officer to “develop” the information required by WAC 246-272A-0200(1), stating: “(3) The local health officer may develop the information required in subsection (1) of this section if authorized by local regulations;” and

Whereas, Current Walla Walla County Code Section 8.16.040 authorizes the Local Health Officer, through staff, to develop the information required by the WAC 246-272A-0200(1); and

Whereas, Typically, septic systems must be designed by either licensed engineers or licensed septic design professionals; and

Whereas, WAC 246-272A-0230(1)(b) allows Local Health Officers (through their appropriately certified staff) to design septic systems. “(b) If the local health officer performs the soil and site evaluation, the health officer is allowed to design a system,” and

Whereas, the Walla Walla County Board of Commissioners has considered adoption of this Ordinance during a regularly and duly called public meeting of said Commission, has given careful review and consideration to said Ordinance, and finds said Ordinance to be in the best interests of the County of Walla Walla.

NOW THEREFORE,

BE IT ORDAINED, by the Walla Walla County Board of Commissioners that:

Section I. The Board of County Commissioners Makes the Following Findings of Fact:

1. Notice of a Public Hearing was published in the Walla Walla Union-Bulletin on February 9 and 16, 2023 and April 27 and May 4, 2023.
2. The Board of County Commissioners held a public hearing on February 21, 2023 and May 8, 2023 for the purpose of receiving testimony on the amendment.
3. Design of septic systems is time-consuming, and the current number of septic system applications is difficult for staff to process.
4. Most local health jurisdictions do not design septic systems as a matter of practice.
5. The County does not have staffing available to adequately maintain a design program.
6. The proposed code change allows staff to continue designing simple, basic repairs on failing systems due to homeowners not always having funding, because raw sewage is a public health risk.

Section II. Adoption of Amendments. The amendment to Walla Walla County Code, amending Walla Walla County Code 8.16 is **adopted** as presented to the Board of County Commissioners on this date as attached in Exhibit A.

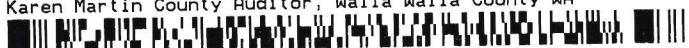
Section III. Index. The index to any chapter of the Walla Walla County Code in which sections are added or removed or in which section titles are changed herein shall also be amended to reflect the section amendments.

Section IV. Effective Date. This Ordinance is effective as of the date of signing.

Section V. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

Section VI. Publication. This Ordinance will be published by an approved summary consisting of the title.

PASSED by the Walla Walla County Board of Commissioners in regular session at Walla Walla, Washington, then signed by its membership and attested by its Clerk in authorization of such passage this 8th day of May, 2023.



Attest:


Diane L. Harris, Clerk of the Board


Jennifer R. Mayberry Chairman, District 1


Todd L. Kimball, Commissioner, District 2


Gunner Fulmer, Commissioner, District 3

*Constituting the Board of County Commissioners
of Walla Walla County, Washington*

Approved as to form:


Jesse D. Nolte, Chief Civil Deputy Prosecuting Attorney



Exhibit A

8.16.040 - Amends WAC 246-272A-0200—Permit requirements.

Subsection (3) of WAC 246-272A-0200 shall read as follows:

(3) The Health Officer may develop the required information specified in subsection (1) of this section for simple gravity flow repairs to failing systems. All other installations, repairs, modifications, connections to, or expansions of an OSS shall require the information be prepared by a licensed septic designer or engineer. The Health Officer shall also perform a site and soil evaluation as specified under WAC 246-272A-0220 for all proposed systems installations, repairs, modifications, connections to, or expansions of an OSS.

