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ASOTIN COUNTY ORDINANCE NO 84-54

An Ordinance Relating to Public Health
Providing for the Regulation of Private
Sewage Disposal Systems in Asotin County,
Washington.

WHEREAS, under the provisions of the Revised Code of
Washington 70.05.060 this Board is charged with the duty of
preserving, promoting, and improving the public health of the
inhabitants of this county; and

WHEREAS, the following Rules and Regulations are
necessary for the protection of public health, safety, and
welfare, and

WHEREAS, the Washington State Board of Health has
adopted Washington Administrative Code 248-96, Rules and
Regulations of the State Board of Health for On-Site Sewage
Disposal Systems; and

WHEREAS, certain portions of WAC 248-96 are in need of
modification and amendment to meet special local conditions, as
allowed under WAC 248-96-025;

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF ASOTIN COUNTY, STATE OF WASHINGTON, SITTING IN
ITS CAPACITY AS COUNTY BOARD OF HEALTH, AS FOLLOWS:

Section 1 - ADOPTION OF STATE BOARD OF HEALTH RULES AND REGULATIONS

1. It is hereby adopted by the Board of Health of
Asotin County, Washington, in conformance with R.C.W.
70.05.060, the Rules and Regulations of the State Board of
Health for On-Site Sewage Disposal Systems, said Rules and

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2 Regulations having been codified in WAC 248.96.010 through WAC
3 248.96.180. Said Rules and Regulations are adopted except such
4 portions as are hereinafter by this ordinance modified, or
5 amended. Three copies of said Rules and Regulations have been
6 filed in the Asotin County Auditor's Office and said Rules and
7 Regulations are hereby adopted and incorporated as fully as if
8 set out at length herein, and from the effective date of this
9 ordinance the provisions hereof shall be controlling all areas
10 of Asotin County.

11 2. In case of conflict among the above adopted Rules
12 and Regulations of the State Board of Health and those
13 modifications and amendments as hereby adopted, the
14 modifications and amendments herein set forth shall govern.
15

16 Section 2 - DEFINITIONS

- 17 1. "WAC" - Washington Administrative Code
18 2. "RCW" - Revised Code of Washington
19 3. "Health Officer" - The health officer of said county
20 health department or a representative authorized by and under
21 the direct supervision of the health officer.
22 4. "Person" - Any individual, corporation, company,
23 association, society, firm, partnership, joint stock company,
24 or any branch of state or local government.
25 5. "Net Lot Size" - The square footage of a lot
26 excluding public roads or street right-of-ways adjacent to the
27 lot.
28 6. "Department" - The Washington State Department of
29 Social and Health Services.
30 7. "Multiple Family Unit" - Duplex, triplex, fourplex,
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1 or larger.

2 8. "Gross Land Area" - Lot area which is bounded by the
3 centerline of an adjoining road or street right-of-way.
4

5
6 Section 3 - PERMITS

7 WAC 248-96-080 is modified as follows:

8 1. The sewage disposal system installation permit shall
9 be obtained prior to issuance of a building permit by the
10 Asotin County Building Inspector.

11 2. The health officer or building inspector shall issue
12 a permit upon compliance by the applicant with the provisions
13 of this ordinance, and WAC 248-96, and upon payment of the
14 permit fee. The health officer may deny approval of the
15 application if the application information is incomplete,
16 inaccurate, or if in his/her judgment compliance with these
17 provisions cannot be achieved.

18 3. Any person whose application for a permit has been
19 denied may appeal this decision to the Asotin County Board of
20 Health and be granted a hearing as set forth in Section 12 of
21 this Ordinance.

22 4. If work for which a sewage permit is issued is not
23 completed within a period of twelve (12) months from the date
24 of issuance, the permit shall lapse and be void.

25
26 Section 4 - BUILDING INSPECTOR

27 The Asotin County Building Inspector is authorized to
28 issue permits and make inspections for new sewage disposal
29 systems serving new single-family and multiple-family dwellings
30 in the county. The Building Inspector shall be under the
31

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1 supervision of the health officer, but only as his/her duties
2 relate to the carrying out of the provisions of this ordinance.
3

4
5 Section 5 INSPECTIONS

6 WAC 248-96-140 is modified as follows:

7 1. It shall be the duty of the person doing the work
8 authorized by the permit to notify the office that issued the
9 permit that said work is ready for inspection. Such
10 notification shall be given not less than twenty-four (24)
11 hours before the work is to be inspected, excluding Saturdays,
12 Sundays, holidays, and any other designated nonworking days.

13 2. Using the sewage disposal system is unlawful until
14 the final inspection and approval by the health officer or
15 building inspector.

16 3. If, upon inspection, the health officer finds the
17 work not to be in accordance with this Ordinance or WAC 248-96,
18 he shall notify the person doing the work of such violation by
19 written notice; and all required corrections must be completed
20 and another inspection shall be done before the permit is
21 approved.

22
23 Section 6 - MINIMUM NET LOT SIZE

24 1. Justification demonstrating the development has
25 sufficient area with proper soils to adequately retain and
26 treat sewage on-site shall be provided in the report. Factors
27 that may be considered in the report may include but not be
28 limited to the following:

- 29 (a) Soil type and depth
30 (b) Area drainage, development, and/or lot drainage
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- (c) Public health impact on ground and surface water quality
- (d) Setbacks from property lines, water supplies, etc.
- (e) Source of domestic water
- (f) Topography, geology, and ground cover
- (g) Climatic conditions
- (h) Availability of public sewers
- (i) Activity or land use, present, and anticipated
- (j) Growth patterns
- (k) Reserve areas for additional subsurface disposal
- (l) Anticipated sewage volume
- (m) Compliance with zoning and other requirements
- (n) Possible use of alternative systems or designs
- (o) Other justification submitted by the developer

2. The following are the minimum net lot sizes of all lots where on-site sewage disposal systems are used.

TYPE OR WATER SUPPLY

Public	11,300 sq. ft.
Individual each lot	1 acre

3. Larger lots may be required by the health officer on the basis of information submitted, in accordance with WAC 248-96-09, Method II.

4. Multiple family units, commercial development and mobile home parks must have minimum land areas based on their projected sewage flows. Use WAC 248-96-090, Method II, for these developments.

Section 7 DESIGN

WAC 248-96-110 is modified as follows:

- 1. Steel septic tanks will not be allowed.
- 2. Plans for all septic tanks must be submitted to the health officer for approval, before the manufacture and sale of said septic tanks.
- 3. Tops of septic tanks shall not be more than 24

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inches below the finished grade, unless a manhole to the septic tank is within 24 inches of the finished grade.

4. It is recommended that the drainfield pipe not be installed at a depth of more than 24 inches below the finished grade of the ground.

5. The drainfield rock shall not be less than 12 inches under the drainfield pipe.

6. The perforated drainfield pipe shall be laid level, or maximum of 4 inches of drop in 100 ft. line is allowed. The end of the drainfield lines shall be capped or satisfactorily blocked.

7. The sewage pipe used shall be 4 inch inside diameter, nonmetallic pipe approved by the health officer. Sewage drainfield pipe shall be perforated.

8. A minimum of 5 feet of solid pipe on original soil shall be between the septic tank and the sewage drain system.

9. A minimum 9 feet center-to-center will be required between drainfield pipes.

10. The maximum width of a drainfield trench shall be 3 feet.

11. Rock or gravel used in sewage absorption systems shall be clean and graded and be between 3/4 inch to 2 1/2 inches in size.

12. The maximum length of a drainfield trench, from the distribution inlet manifold, shall be 100 ft.

13. Drainfield gravel is required to be covered by heavy duty untreated building paper, 2 to 3 inch layer of hay or straw, or synthetic filter fabric.

14. The detailed design and construction of all on-site

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1 sewage systems shall conform to the "Design Manual: On-Site
2 Wastewater Treatment and Disposal Systems", United States
3 Environmental Protection Agency, EPA625/180012, October, 1980;
4 except where modified by, or in conflict with these regulations
5 of WAC 248-96.
6

7 15. The detailed design and construction of all on-site
8 sewage systems shall conform to the "Manual of Septic-Tank
9 Practice", U. S. Department of Health, Education, and Welfare,
10 Public Health Service Publication No. 526 except where modified
11 by, or in conflict with the "Design Manual: On-Site Wastewater
12 Treatment and Disposal Systems", these regulations, or WAC 248-
13 96.

14 16. Drywells for new residences, commercial, and non-
15 commercial developments shall be allowed after a variance has
16 been granted by the department.

17 If a variance has not been approved or disapproved
18 by the department within 2 weeks after the variance request has
19 been mailed by the Asotin County Health Department, then the
20 health officer shall approve or disapprove the drywell
21 installation.
22

23 Section 8 - DISPOSAL OF SEPTIC TANK WASTE

24 1. It shall be unlawful for any person to engage in the
25 business of pumping and/or cleaning of any septic tank of other
26 sewage treatment device without first having obtained a permit
27 for that purpose from the health officer.

28 2. Upon application in writing by the person wanting
29 such permit, and approval thereof by the health officer, a
30 permit shall be issued pursuant to the payment of the permit
31 fee.
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2 3. All waste disposal sites shall be noted on the
3 application form. The contents of a septic tank or other
4 treatment devise shall be disposed of only in areas and in a
5 manner approved by the health officer.

6 4. Inspection of equipment and operations shall be made
7 at reasonable times by the health officer. Waste holding tanks
8 must be fully enclosed, strong enough for all conditions of
9 operation, leak proof and so constructed as to prevent spilling
10 or leaking of the waste contents during loading, transport
11 and/or unloading. Equipment shall be kept clean at all times
12 so as to avoid offensive appearance or odors.

13 5. The health officer may, after written notice to a
14 permit holder, suspend or revoke a permit for serious or
15 repeated violations of any of the requirements of these
16 regulations. The permit holder may appeal this determination
17 using the appeal procedure noted in Section 12 of these
18 regulations.

19
20 Section 9 - SEWAGE CONTRACTOR'S CERTIFICATION

21 1. It shall be unlawful for any person to engage in the
22 business of installing and/or repairing on-site sewage disposal
23 systems without a currently valid Sewage Installer's
24 Certificate.

25 2. Application for such certificate shall be made to
26 the health officer on forms provided by him/her.

27 3. The health officer shall require all applicants for
28 a sewage installer's certificate to pass an examination of the
29 competence of the applicant to perform the business of
30 installing or repairing on-site sewage disposal systems which
31 shall include a written test.

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2 4. Based upon the information provided, and WAC 248-96-
3 175, and upon the payment of the certificate fee, the health
4 officer may approve or deny the application.

5 5. The certificate granted shall not be transferable.

6 6. The health officer may, after written notice to a
7 certificate holder, suspend or revoke a certificate for serious
8 or repeated violations of any of the requirements of the
9 regulations. The certificate holder may appeal this
10 determination using the appeal procedure noted in Section 12 of
11 these regulations.

12
13 Section 10 - BONDING FOR PUMPERS AND CONTRACTORS

14 All sewage system installers and septic tank pumpers are
15 required to be bonded for their certificate or permit under the
16 requirements of RCW 18.27.02 and RCW 18.27.040, or RCW
17 18.27.090.

18
19 Section 11 - VARIANCE

20 The health officer may grant a variance to section 7 of
21 these regulations when no health hazard would exist as a result
22 of this action and the variance is consistent with the intent
23 of these regulations. A variance that is less stringent than
24 the minimum standards of WAC 248-96 must have department
25 concurrence prior to taking effect.

26
27 Section 12 - APPEALS

28 Any person aggrieved by a determination of the health
29 officer made under the purview of this Ordinance may within
30 ten (10) days of the determination, appeal in writing to the
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Asotin County Board of Health, being the Board of County Commissioners. The appeal shall be filed with the Asotin County Auditor, being the ex-officio Clerk of the Board. A hearing shall be granted on the matter within fourteen (14) days of receipt of the request at any regular meeting of the Asotin County Commissioners. The County Commissioners shall make a final finding based upon the complete hearing record and shall sustain, modify, or rescind any notice or order considered in the hearing. A finding that is less stringent than the minimum standards of WAC 248-96 must have department concurrence prior to taking effect.

Section 13 - PRECEDENCE

Should any section, paragraph, sentence, clause, or phrase of any other resolution, ordinance, or regulation be found in conflict with this ordinance then this ordinance shall take precedence.

Section 14 - SEPARABILITY CLAUSE

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 15 - PENALTIES

Any person violating, or refusing, or neglecting to comply with this ordinance and upon conviction, shall be guilty of a misdemeanor, and the maximum penalty shall be a fine not to exceed FIVE HUNDRED DOLLARS (\$500.00), or a ninety (90) day

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sentence in jail, or both.

Section 16 - EFFECTIVE DATE

This ordinance shall be in full force and effect on and after July 23, 1984.

APPROVED, after hearing this 23 day of July, 1984.

ASOTIN COUNTY BOARD OF COMMISSIONERS

Neil Clausman
Chairman

Timothy E. Re
Member

B. M. ...
Member

ATTEST:

Nancy Spears
Nancy Spears, Asotin County Auditor
ex-officio Clerk of the Board

APPROVED AS TO FORM:

John M. Lyden
John M. Lyden, Asotin County
Prosecuting Attorney

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