

1 ASOTIN COUNTY HEALTH DISTRICT ORDINANCE NO. 86-01
2 An Ordinance Relating to Public Health Providing
3 for the Regulation of Solid Waste Storage, Handling,
4 and Facilities in Asotin County, Washington.
5

6 WHEREAS, under the provision of the Revised Code of
7 Washington 70.46.060 and the Revised Code of Washington
8 70.05.060 this Board is charged with the duty of preserving,
9 promoting, and improving the public health of the inhabitants
10 of this county and to control and abate public health nuisances;
11 and
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13
14 WHEREAS, under the provision of the Revised Code of
15 Washington 70.95.160 this Board shall adopt regulations
16 governing solid waste in this county; and
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18
19 WHEREAS, the following Rules and Regulations are necessary
20 for the protection of public health, safety, and welfare; and
21

22 WHEREAS, the Washington Department of Ecology has adopted
23 Washington Administrative Code 173-304, Minimum Functional
24 Standards for Solid Waste Handling; and
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26 WHEREAS, certain portions of WAC 173-304 are in need of
27 modification and amendment to meet special local conditions,
28 as allowed under WAC 173-304-010;

29 THEREFORE, BE IT ORDAINED BY THE BOARD OF HEALTH OF THE
30 ASOTIN COUNTY HEALTH DISTRICT, STATE OF WASHINGTON, AS FOLLOWS:
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1 Section I - ADOPTION OF THE MINIMUM FUNCTIONAL STANDARDS FOR
2 SOLID WASTE HANDLING
3

4 1. It is hereby adopted by the Board of Health of the
5 Asotin County Health District, Washington, in conformance with
6 R.C.W. 70.05.060 and R.C.W. 70.95.160, the Minimum Functional
7 Standards for Solid Waste Handling, said Minimum Functional
8 Standards having been codified in WAC 173-304-010 through
9 WAC 173-304-9901. Said Minimum Functional Standards are adopted
10 except such portions as are hereinafter by this ordinance
11 modified or amended. Three copies of said Minimum Functional
12 Standards have been filed in the Asotin County Health District
13 office and said Minimum Functional Standards are hereby adopted
14 and incorporated as fully as if set out at length herein, and from
15 the effective date of this ordinance the provisions hereof
16 shall be controlling all areas of Asotin County.
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22 2. In case of conflict among the above adopted Minimum
23 Functional Standards for Solid Waste Handling and those
24 modifications and amendments as hereby adopted, the modifications
25 and amendments herein set forth shall govern.
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27 Section 2 - DEFINITIONS

28 1. "Asotin County" means Asotin County and any city or
29 town incorporated therein.
30

31 2. "WAC" means Washington Administrative Code
32

1 3. "RCW" means Revised Code of Washington.

2
3 4. "Health Officer" means the health officer of said
4 county health district or representative authorized by and under
5 the direct supervision of the health officer.
6

7 5. "Person" means any individual, corporation, company,
8 association, society, firm, partnership, joint stock company, or
9 any branch of state or local government.
10

11 6. "Department" means the Washington State Department of
12 Ecology.
13

14 7. "Solid Waste" means all putrescible and nonputrescible
15 solid and semisolid wastes, including but not limited to garbage,
16 rubbish, ashes, industrial wastes, swill, demolition and
17 construction wastes, abandoned vehicles or parts thereof, and
18 discarded commodities. This includes all liquid, solid and
19 semisolid, materials which are not the primary products of
20 public, private, industrial, commercial, mining, and agricultural
21 operations. Solid waste includes but is not limited to sludge
22 from wastewater treatment plants and septage, from septic tanks,
23 woodwaste, dangerous waste, and problem wastes.
24
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26

27 8. "Garbage" means unwanted animal and vegetable wastes
28 and animal and vegetable wastes resulting from the handling,
29 preparation, cooking and consumption of food, swill and carcasses
30 of dead animals, and of such a character and proportion as to be
31 capable of attracting or providing food for vectors, except
32 sewage and sewage sludge.

1 9. "Vector" means a living animal, insect or other
2 arthropod which transmits an infectious disease from one organism
3 to another.
4

5 10. "Storage" means the holding of solid waste materials
6 for a temporary period.
7

8 11. "Minimum Functional Standards" means the Minimum
9 Functional Standards for Solid Waste Handling adopted by the
10 Washington Department of Ecology.
11

12 Section 3 - PERMITS

13 WAC 173-304-195 is modified as follows:
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15 1. The health officer shall issue a permit to operate
16 a landfill upon compliance by the applicant with the provisions
17 of this ordinance, and WAC 173-304, and upon payment of the
18 permit fee. The health officer may deny approval of the
19 application if the application information is incomplete,
20 inaccurate, or if in his/her judgment compliance with these
21 provisions cannot be achieved.
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24 2. Any person whose application for a permit has been
25 denied may appeal this decision to the health officer and be
26 granted a hearing as set forth in RCW 70.95.210.
27

28 3. Every landfill permit shall be renewed annually on
29 or before the first day of January of each year.
30

31 4. The annual landfill permit fee shall be \$250.00.
32

1 Section 4 - STORAGE STANDARDS FOR SOLID WASTE
2

3 1. No person shall cause or allow garbage to collect,
4 be deposited, or to remain in any place in Asotin County so as
5 to cause a nuisance.
6

7 2. No person shall burn garbage.

8 3. The premise where garbage is stored shall be
9 maintained in a clean and nuisance-free manner.
10

11 4. Provisions acceptable to the health officer shall be
12 made to make garbage inaccessible to animals, if animals scatter
13 garbage and cause a nuisance at that premise.
14

15 5. Garbage shall be removed from the premise and
16 disposed of in a legal manner at least once per week.
17

18 6. Light weight solid waste materials shall be contained
19 to prevent blowing and scattering.

20 7. Problem wastes or other solid wastes unsuitable for
21 storage containers shall be stored in a nuisance-free manner.
22

23 8. Where garbage and similar putrescible wastes are
24 stored in combination with nonputrescible wastes, the storage of
25 the mixture shall meet garbage storage standards.
26

27 9. The owner and/or occupant of any premise, business
28 establishment, or industry shall be responsible for the
29 satisfactory and legal arrangement for the handling and removal
30 of all solid waste accumulated at that premise.
31
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1 10. The owner and/or occupant of any premise, business
2
3 establishment, or industry shall be responsible for the safe and
4 sanitary storage of all solid waste accumulated at that premise
5 until it is removed.
6

7 Section 5 - SOLID WASTE DETRIMENTAL TO THE PUBLIC HEALTH

8 No solid waste in any amount which is dangerous, hazardous,
9 or detrimental to the public health shall be collected, deposited,
10 or to remain in any place in Asotin County.
11

12 Section 6 - PRECEDENCE

13 Should any section, paragraph, sentence, clause or phrase
14 of any other resolution, ordinance, or regulation be found in
15 conflict with this ordinance then this ordinance shall take
16 precedence.
17
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19 Section 7 - SEPARABILITY CLAUSE

20 Should any section, paragraph, sentence, clause, or phrase
21 of this ordinance be declared unconstitutional or invalid for
22 any reason, the remainder of said ordinance shall not be affected
23 thereby.
24

25 Section 8 - PENALTIES

26 Any person violating or refusing, or neglecting to comply
27 with this ordinance and upon conviction, shall be guilty of a
28 misdemeanor, and the maximum penalty shall be a fine not to
29 exceed ONE THOUSAND DOLLARS (\$1,000.00), or a NINETY (90) DAY
30 sentence in jail, or by both fine and imprisonment. (Statutory
31
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1 Authority RCW 9.92.030). For the purposes of this section each
2 day of violation of this order or of said Minimum Functional
3 Standards shall be a separate offense.
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5 Section 9 - REPEAL
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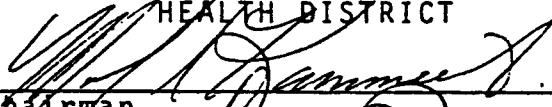
7 Asotin County Ordinance No. 1322 is hereby repealed.

8 Section 10 - EFFECTIVE DATE
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10 This ordinance shall be in full force and effect, after
11 hearing, on and after July 30, 1986.

12 APPROVED, this 30th day of July, 1986.
13

14 BOARD OF HEALTH OF THE ASOTIN COUNTY
15 HEALTH DISTRICT

16 
17 Chairman

18 
19 Member

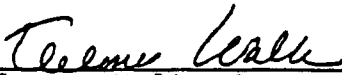
20 
21 Member

22 
23 Member

24 
25 Member

26 _____
27 Member

28 ATTEST:

29 
30 Delores Walk, Secretary of the Board of Health

31 APPROVED AS TO FORM:

32  P.A. 7



ASOTIN COUNTY HEALTH DISTRICT

431 ELM STREET

CLARKSTON, WASHINGTON 99403-2694

(509) 758-3344

1 ASOTIN COUNTY HEALTH DISTRICT ORDINANCE NO. 91-01

2 An Ordinance amending Asotin County Health District Ordinance No.
3 86-01

4
5 WHEREAS, under the provisions of the Revised Code of Washington
6 70.46.060 and the Revised Code of Washington 70.05.060 this Board
7 is charged with the duty of preserving, promoting, and improving
8 the public health of the inhabitants of this county and to control
9 and abate public health nuisances; and

10
11 WHEREAS, under the provisions of the Revised Code of Washington
12 70.95.160 this Board shall adopt regulations governing solid waste
13 in this county; and

14
15 WHEREAS, the following amendment is necessary for the protection
16 of public health, safety, and welfare;

17
18 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF HEALTH OF THE ASOTIN
19 COUNTY HEALTH DISTRICT, STATE OF WASHINGTON, AS FOLLOWS:

20
21 THAT ASOTIN COUNTY HEALTH DISTRICT ORDINANCE NO. 86-01, Section 8 -
22 PENALTIES be amended in its entirety as follows:

1 D. COLLECTION OF CIVIL PENALTY: The civil penalty
2 constitutes a personal obligation of the person[s] to
3 whom a notice of violation is directed. The prosecuting
4 attorney, on behalf of the Asotin County Health District,
5 is authorized to collect all financial penalties imposed
6 pursuant to this ordinance, including the civil penalty,
7 by use of appropriate legal remedies and is authorized
8 to designate a collection agent to collect same, the
9 seeking or granting of which shall neither stay nor
10 terminate the accrual of additional per diem penalties
11 so long as the violation continues.

12
13 E. COMPROMISE, SETTLEMENT AND DISPOSITION SUITS: The
14 prosecuting attorney is hereby authorized to enter into
15 negotiations with the parties or their legal
16 representatives for the collection of all financial
17 penalties imposed pursuant to this ordinance, including
18 civil penalties, and to negotiate a settlement,
19 compromise or otherwise dispose of the complaint when to
20 do so will be in the best interests of the Asotin County
21 Health District.

1 the Asotin County Health District by the state
2 constitution and Revised Code of Washington Chapter
3 70.95.160 and Revised Code of Washington Chapter
4 70.95.240, it is hereby made a misdemeanor to violate any
5 of the provisions of this title or any amendments
6 thereto. Violations shall be punished as provided by the
7 statutes of the state for the commission of a
8 misdemeanor. Each day of violation shall constitute a
9 separate offence.

10
11 B. ENFORCEMENT BY GOVERNMENT OFFICERS: The Board of Health
12 of the Asotin County Health District shall appoint
13 individuals to enforce the provisions of this title and
14 empowers the sheriff and all peace officers charged with
15 the enforcement of the law to enforce this title and all
16 revisions of the same.

17
18 C. CUMULATIVE CIVIL PENALTY: In addition to or as an
19 alternative to any other penalty provided herein or by
20 law, any person, firm, or corporation which violated the
21 provisions of this Ordinance shall incur a cumulative
22 civil penalty in the amount of One Hundred (100.00)
23 Dollars per day from the date set for correction until
24 the violation is corrected. Each day of violation shall
25 constitute a separate penalty.
26

This Ordinance shall be in full force and effect on and after
April 1, 1991

SIGNED this 27th day of March, 1991.

ASOTIN COUNTY HEALTH DISTRICT
BOARD OF HEALTH, WASHINGTON

Walter Smith
CHAIRMAN

Walter Smith
MEMBER

R. E. Drove
MEMBER

Neil Chapman
MEMBER

MEMBER

MEMBER

ATTEST:
Teresa Park
Secretary to the Board of Health

APPROVED AS TO FORM:
Tim Ohms
TIM OHMS
Asotin County Prosecuting Attorney