

Board of Health Ordinance 10

Amending Clallam County Code, Chapter 41.20.170, On-Site Sewage System

BE IT ORDAINED BY THE CLALLAM COUNTY BOARD OF HEALTH:

Section 1. Section .170, Implementation of OSS Management Plan, is amended to read as follows:

- (1) OSS Inspections and Maintenance.
 - (a) General Conditions.
 - (i) The OSS owner will ensure a complete evaluation of the system components and/or property to determine functionality, maintenance needs, and compliance with Chapter 246-272A WAC, these regulations, and any OSS permits:
 - (A) At least once every three years for all systems consisting solely of a septic tank and gravity subsurface absorption system (SSAS);
 - (B) Annually for all other systems unless more frequent inspections are specified by the local Health Officer.
 - (ii) OSS owners will assure that needed maintenance service or repairs to the OSS are accomplished in a timely manner.
 - (iii) Inspection activities are to follow the protocol set forth by Environmental Health Services and are to be reported on forms approved by the Health Officer to EHS within 30 days of the inspection of the OSS.
 - (b) Residential OSS Owner Systems Status Inspections. This section pertains to OSS owners who perform their own inspections.
 - (i) Owner inspections are limited to residential OSS of no more than two connections served by one OSS on the same lot.
 - (ii) OSS owners who perform their own inspections must first receive approval to inspect their own residential septic system from the Health Officer. Approval may consist of proof of completing a Health Officer approved training course appropriate for the level of complexity of the OSS the owner is to inspect and maintain, including obtaining a passing score on a test.
 - (iii) Homeowners are responsible for reporting their inspection activities in compliance with this section.
 - (iv) Where there are no records regarding the type, size, location and other applicable information on a septic system, the OSS owner must have the first system status inspection performed by a professional maintenance provider or licensed designer.
 - (c) Sewage System Maintenance Provider System Status Inspections.
 - (i) Licensed designers or sewage system maintenance providers performing OSS system status inspections shall meet the requirements of this section. OSS maintenance providers shall also meet the requirements of CCC 41.20.200 and 41.20.230 (licensing).
 - (d) Community and Commercial OSS Systems.
 - (i) Community and commercial OSS shall follow the requirements in subsection (1)(a) of this section (General Conditions) except where noted below.
 - (ii) All food service establishments served by OSS must meet the requirements of WAC 246-272A-0275 and CCC 41.20.180(2).
 - (iii) All system status inspections are to be performed by a licensed sewage system maintenance provider or licensed designer.
 - (iv) All community gravity OSS with greater than two connections shall be evaluated annually.

(v) Relief from subsection (1)(d)(iii) of this section may be granted by the Health Officer provided the owner can demonstrate:

(A) The owner receives Health Officer approved training including obtaining a passing score on a test if required. The training must be appropriate for the level of complexity of the OSS the owner is to inspect and maintain.

(B) The OSS effluent characteristics are comparable to typical single-family residential volumes and strength.

(2) Marine Recovery Area (MRA).

(a) The legal boundaries of the marine recovery area shall be the same area described in Chapter 27.16 CCC, Sequim Bay-Dungeness Watershed Clean Water District, and include the following areas: the Dungeness watershed and those waters influenced by it through the irrigation system and other independent tributaries to the Strait of Juan de Fuca from Bagley Creek east to and including the Sequim Bay watershed. This encompasses the Dungeness and Gray Wolf Rivers, the creeks of Bagley, McDonald, Matriotti, Meadowbrook, Cooper, Cassalery, Gierin, Bell, Johnson, Dean, Jimmycomelately, Chicken Coop, and their tributaries.

(b) The MRA boundary shall also include the Miller Peninsula and Discovery Bay watershed inside Clallam County including those portions of the Miller Peninsula and the Eagle Creek watershed that are not currently included in the Sequim Bay-Dungeness Watershed Clean Water District. The boundaries are outlined in "Exhibit A" (as amended to include Miller Peninsula), attached to the ordinance codified in this chapter and incorporated by reference.

(c) All OSS owners within the marine recovery area shall have a system status inspection performed on their OSS by a licensed designer or a sewage system maintenance provider as described in this chapter as the first system status inspection required under the OSS Management Plan.

(d) After the initial professional inspection, owners of residential-type OSS who meet the requirements of this chapter may inspect their own OSS system, provided the initial professional inspection was conducted within the three years prior to the homeowner inspection.

(e) OSS owners who perform their own OSS system status inspection and maintenance providers are required to submit a system status report per this chapter.

(3) Environmental Health Services' implementation of the OSS Management Plan shall be supported by an annual Operation and Maintenance (O&M) fee applied to each onsite wastewater disposal system.

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(a) The amount of the O&M fee shall be set by the Board of Health on the Environmental Health Services fee schedule in Chapter 41.50 CCC and collected annually through the property tax collection system in accordance with RCW 70.05.190.

(b) Any revenues generated by the O&M fee shall be used solely for the purpose of implementing the OSS Management Plan.

(c) Those claiming exemption from the O&M fee shall demonstrate to the satisfaction of the Health Officer (or designee) absence of an onsite wastewater disposal system.

(i) Such demonstration shall take the form of a receipt for connection to a permitted sanitary sewer system, a bill for permitted sanitary sewer service, an invoice for OSS decommission, a site visit with Environmental Health Services staff to confirm absence of a water supply/any sources of wastewater, or similar documentation approved by the Health Officer or designee.

(ii) Request for exemption from the O&M fee shall be made before September 30 of the year prior to that in which the exemption would take effect.

(d) Ten years from the passage of this ordinance, the Board of Health will conduct a complete review of this program and its results. The expected objectives are outlined on pages 5 and 6 of the On-Site Septic System Operations and Program Manual, found in the Environmental Health

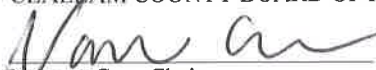
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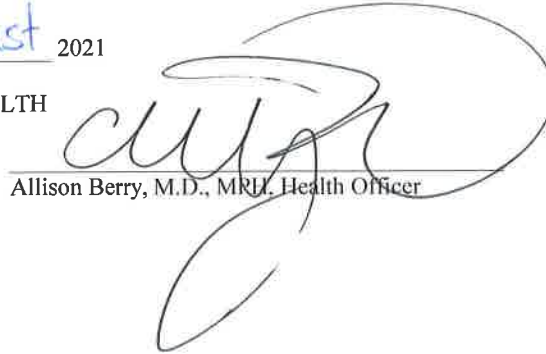
Department. These objectives may be periodically updated based on new information. A vote to continue/discontinue the program and fee must then be affirmed by the Board of Health.

(4) Any subsequent adoption of updates to the OSS Management Plan shall be considered to have been incorporated into this chapter without the need for further amendment.

ADOPTED this 17th of August 2021

CLALLAM COUNTY BOARD OF HEALTH


Navarra Carr, Chair


Allison Berry, M.D., MRJL Health Officer

ATTEST:


Celia Thompson, Clerk of the Board