

CLEARANCES:	(Initial/Date)	Date Received in Council Office:	Agenda Date:	Assigned To:
Originator-	JB	1/7/93	1/11/94	Council Introduction
Division Head-	JB	1/10/93	1/25/94	Council
Department Head-	PJ	12/22/93		
Prosecutor Review-	PCW	2/2/98		
Purchasing/Budget Dir.-				
Executive-	1/3/94	1/3/94		

SUBJECT:

Amending Whatcom County Code Chapter 24.05 Regarding Sewage Control Rules & Regulations

ATTACHMENTS:

Ordinance Document
 Proposed Amendments, Whatcom County Code 24.05.103, 24.05.130

Public Hearing Needed? Yes / / No / /

SUMMARY STATEMENT:

- WCC 24.05.103 Table VI amended to allow for cluster subdivisions.
- WCC 24.05.130 The Sewage Disposal System Installers License amended in order to comply with On-site Sewage System Regulations, WAC 248-96-175 and Registration of Contractors, RCW 18.27.130.

RECOMMENDED ACTION:

Approval by Council

COMMITTEE ACTION (including dates):

COUNCIL ACTION (including dates):

- 1/11/94: Council introduction
- 1/25/94: Council adopted the ordinance. 7-0

Related File Numbers: _____

Ordinance or Resolution Number: Ord 94-008

1
2 24.05 December 9, 1993

3 SPONSORED BY Consent

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5 PROPOSED BY Environmental Health

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7 INTRODUCTION DATE 1/11/94

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9 ORDINANCE NO. 94-008

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11 AMENDING WHATCOM COUNTY CODE CHAPTER 24.05
12 REGARDING SEWAGE CONTROL RULES AND REGULATIONS

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14 WHEREAS, cluster subdivisions are allowed as a method of land development by the
15 Whatcom County Zoning Ordinance, Title 20, and

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17 WHEREAS, the Washington State Department On-site Sewage Regulations, 248-96-175
18 WAC requires certified sewage disposal system installers, and

19
20 WHEREAS, Washington State Registration of Contractors, RCW 18.27.130 does not
21 allow a local bonding requirement of registered contractors

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23 NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that
24 Chapter 24.05 of the Whatcom County Code is hereby amended as indicated in Exhibit A
25 to this ordinance.

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27 ADOPTED this 25th day of January, 1994.

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30 ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

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33 Ramona Reeves
34 Ramona Reeves, Council Clerk

35 Robert Imhof
36 Robert Imhof, Council Chair

37 APPROVED as to form & content: Approved Denied

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40 Radulph
41 Civil Deputy Prosecutor

42 Shirley Van Zanten
43 Shirley Van Zanten, Executive

44 Date: 1-26-94

1 EXHIBIT A
2 December 9, 1993

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5 Whatcom County Code 24.05
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9 24.05 .103 Approved fill soil may be used if the following requirements are met:
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12 TABLE VI: ORIGINAL PERMEABLE SOIL OR WET SEASON WATER TABLE
13 AT DEPTH OF LESS THAN 4 FEET
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16 Single Family Dwelling or Equivalent

17 (~~4 bedroom maximum 930 gallons maximum~~)

18 Depth of Original 19 Permeable Soil and/or 20 Depth to Average Ground 21 Water Level During the 22 Wet Season	23 Minimum Lot 24 Sizes 25 Conventional 26 Subdivision	27 Width 28 Requirements	29 Overall 30 Required 31 Density for a 32 Cluster 33 Subdivision
34 Less than 48" but 35 at least 30"	36 17,000 sq.ft.	37 90 feet	38 17,000 sq.ft. per 39 dwelling
40 Less than 30" but 41 at least 18"	42 1 acre	43 150 feet	44 1 acre per 45 dwelling
46 Less than 18"	5 acres	300 feet	5 acres per dwelling

1 EXHIBIT A
2 December 9, 1993
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6 24.05 .135 The Health Department may suspend or revoke any installer's license certification if
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8 there has been a finding of incompetency, negligence, willful misrepresentation, or failure to
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10 comply with these Rules and Regulations or other applicable laws, rules and regulations. The
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12 installation of a sewage disposal system for which a permit has not been obtained shall be
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14 cause for the suspension or revocation of an installer's license certification.
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18 24.05 .136 Before the issuance of a sewage disposal system installer's license certification, the
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20 applicant shall file with the department a surety bond issued by a surety insurer in a form
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22 acceptable to the department in the sum of \$2,000 running to Whatcom County. Said bond
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24 shall be conditioned that the applicant will pay all amounts that may be adjudged against
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26 applicant by reason of negligent or improper work or breach of contract on the part of such
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28 installer. The bond shall be conditioned that the holder of the license and his or her agents
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30 performing work shall exercise reasonable care and skill and comply with these rules and
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32 regulations. The surety upon the bond shall not be liable in an aggregate amount in excess of
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34 the amount named in the bond. The bond shall be kept in effect during the period of time for
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36 which the license is issued. In the event the bond is cancelled or any final judgment shall
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38 impair the liability of the surety upon the bond so furnished so that there shall not be in effect
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40 a bond undertaking in the full amount of \$2,000, the department shall suspend the registration
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42 of such installer until the full bond liability unimpaired by unsatisfied judgment claims shall
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44 have been furnished satisfactory evidence demonstrating that said installer is a registered
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46 contractor as provided by RCW Ch. 18.27 and had obtained the required surety bond. In the

1 EXHIBIT A
2 December 9, 1993
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6 ~~event the installer's contractor registration shall lapse for any reason or the contractor's bond~~
7 ~~shall become impaired, then certification by the department of said installer shall be suspended~~
8 ~~until the installer's registration as a contractor is reinstated and the contractor~~
9 ~~is reinstated and the contractor's bond is unimpaired.~~

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15 ~~In lieu of the surety bond required by this section, the applicant may file with the department~~
16 ~~a deposit consisting of cash or other security acceptable to the department. The health officer~~
17 ~~may promulgate rules and regulations necessary for the proper administration of the security.~~
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23 24.05 .137 An applicant whose license ~~certification~~ has been revoked shall be ineligible to reapply
24 for a license ~~recertification~~ until 60 calendar days have passed from the date of the
25 license revocation ~~of the certification~~.
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1 EXHIBIT A
2 December 9, 1993

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6 Whatcom County Code 24.05
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9 24.05.130 - Installer's License Certification
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12 24.05 .131 It shall be unlawful to engage in the business of installing side sewers or sewage disposal
13 systems, or parts thereof, without an installer's license certificate.
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18 24.05 .132 Application for an installer's license certification shall be made on forms provided by the
19 Health Department. License and/or application fees shall be payable to the Health
20 Department.
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26 24.05 .133 The Health Department shall determine by written and/or oral examination the
27 applicant's knowledge of public health problems involved in the disposal of sewage and
28 necessary standards of design, construction and installation. If the applicant does not receive
29 a passing mark of 70 percent in any such examination, the applicant shall be denied a license
30 certification.
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38 24.05 .134 ~~An installer shall be issued an annual license. Each installer's certificate shall be renewed~~
39 ~~annually.~~ An application for relicensing renewal shall be made on forms provided by the
40 Health Department within the thirty-day period preceding the expiration of any license date
41 of certification.
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