



Legislation Text

File #: 2002-0125, **Version:** 1

Clerk 03/13/2002

AN ORDINANCE relating to sewer and water system regulation; amending Ordinance 1490, Section 1, and K.C.C. 8.60.010, Ordinance 1490, Section 2, as amended, and K.C.C. 8.60.020, Ordinance 1490, Section 3, and K.C.C. 8.60.030, and Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040 and repealing Ordinance 1322, Section 2, as amended, and K.C.C. 13.04.010, Ordinance 1322, Section 3, and K.C.C. 13.04.020, Ordinance 1322, Section 4, as amended, and K.C.C. 13.04.030, Ordinance 1322, Section 5, and K.C.C. 13.04.040, Ordinance 1322, Section 6, and K.C.C. 13.04.050, Ordinance 1322, Section 7, and K.C.C. 13.04.060, Ordinance 1322, Section 8, and K.C.C. 13.04.070, Ordinance 1322, Section 9, and K.C.C. 13.04.080, Ordinance 1322, Section 10, and K.C.C. 13.04.090, Ordinance 1322, Section 11, as amended, and K.C.C. 13.04.100, Ordinance 4608, Section 4, as amended, and K.C.C. 13.04.110, Ordinance 4608, Section 5, and K.C.C. 13.04.120, Ordinance 4608, Section 6, and K.C.C. 13.04.130, Ordinance 4608, Section 8, as amended, and K.C.C. 13.04.140, Ordinance 1322, Section 12, and K.C.C. 13.04.150, Ordinance 1322, Section 13, and K.C.C. 13.04.160, Resolution 12873 (part) and K.C.C. 13.04.170, Ordinance 1322, Section 14, and K.C.C. 13.04.180, Ordinance 1322, Section 15, and K.C.C. 13.04.190, Ordinance 1322, Section 16, and K.C.C. 13.04.200, Ordinance 1322, Section 17, and K.C.C.

13.04.210, Ordinance 1322, Section 18, and K.C.C. 13.04.220, Ordinance 1322, Section 19, and K.C.C. 13.04.230, Ordinance 1322, Section 20, and K.C.C. 13.04.240, Ordinance 1322, Section 21, as amended, and K.C.C. 13.04.250, Ordinance 1322, Section 22, and K.C.C. 13.04.260, Ordinance 1322, Section 23, and K.C.C. 13.04.270, Ordinance 1322, Section 24, and K.C.C. 13.04.280, Ordinance 1322 (part), as amended, and K.C.C. 13.04.290, Ordinance 931, Section 1, as amended, and K.C.C. 13.08.010, Ordinance 931, Section 3, as amended, and K.C.C. 13.08.020, Ordinance 931, Section 4, as amended, and K.C.C. 13.08.030, Ordinance 931, Section 5, as amended, and K.C.C. 13.08.040, Ordinance 931, Section 6, as amended, and K.C.C. 13.08.050, Ordinance 8330, Section 35, and K.C.C. 13.08.055, Ordinance 931, Section 7, as amended, and K.C.C. 13.08.060, Ordinance 931, Section 8, as amended, and K.C.C. 13.08.070, Ordinance 931, Section 9, as amended, and K.C.C. 13.08.080, Ordinance 931, Section 10, as amended, and K.C.C. 13.08.090, Ordinance 931, Section 11, as amended, and K.C.C. 13.08.100, Ordinance 931, Section 12, as amended, and K.C.C. 13.08.110, Ordinance 931, Section 13, as amended, and K.C.C. 13.08.120, Ordinance 931 (part), as amended, and K.C.C. 13.08.130, Ordinance 931 (part), as amended, and K.C.C. 13.08.140, Ordinance 931, Section 15, as amended, and K.C.C. 13.08.150, Resolution 1130, Section 1, and K.C.C. 13.12.010, Resolution 11304, Section 2, and K.C.C. 13.12.020, Resolution 11304, Section 3, and K.C.C. 13.12.030, Resolution 11304, Section 5, and K.C.C. 13.12.040, Resolution 11304, Section 6, and K.C.C. 13.12.050, Resolution 11304 (part), as amended, and K.C.C. 13.12.060, Resolution 11304, Section 9, and K.C.C. 13.12.070, Resolution 9203 (part) and K.C.C. 13.16.010, Resolution 9203

(part) and K.C.C. 13.16.020, Resolution 9203 (part) and K.C.C. 13.16.030, Resolution 15311, Section 1, as amended, and K.C.C. 13.20.010, Resolution 15311, Section 2, as amended, and K.C.C. 13.20.020 and Ordinance 3054, Section 3, as amended, and K.C.C. 13.20.030.

PREAMBLE:

A number of code sections addressing local sewer systems, on-site wastewater treatment and disposal systems, and related fee structures are no longer relevant.

The county has not owned or operated any local sewer systems since 1985. All local sewer systems in the county are currently owned and operated by cities and districts.

The board of health code addresses all relevant regulations regarding on-site wastewater treatment and disposal systems and fees for review of system designs and testing of water samples. The board of health code is administered by public health - Seattle and King County.

The King County Code sections repealed by this ordinance include regulations regarding side sewer work and connections; design, installation and repair of disposal systems; sewerage cleaning and removal; federal funding of sewerage disposal systems; and water and sewer system condition reports.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 1322, Section 2, as amended, and K.C.C. 13.04.010, Ordinance 1322, Section 3, and K.C.C. 13.04.020, Ordinance 1322, Section 4, as amended, and K.C.C. 13.04.030, Ordinance 1322, Section 5, and K.C.C. 13.04.040, Ordinance 1322, Section 6, and K.C.C. 13.04.050, Ordinance 1322, Section 7, and K.C.C. 13.04.060, Ordinance 1322, Section 8, and K.C.C. 13.04.070, Ordinance 1322, Section |10 13|, and K.C.C. 13.04.080, Ordinance 1322, Section 10, and K.C.C. 13.04.090, Ordinance 1322, Section 11, as amended, and K.C.C. 13.04.100, Ordinance 4608, Section 4, as amended, and K.C.C. 13.04.110, Ordinance 4608, Section 5, and K.C.C. 13.04.120, Ordinance 4608, Section 6, and K.C.C. 13.04.130, Ordinance 4608, Section 8, as amended, and K.C.C. 13.04.140, Ordinance 1322, Section 12, and K.C.C. 13.04.150, Ordinance

1322, Section 13, and K.C.C. 13.04.160, Resolution 12873 (part) and K.C.C. 13.04.170, Ordinance 1322, Section 14, and K.C.C. 13.04.180, Ordinance 1322, Section 15, and K.C.C. 13.04.190, Ordinance 1322, Section 16, and K.C.C. 13.04.200, Ordinance 1322, Section 17, and K.C.C. 13.04.210, Ordinance 1322, Section 18, and K.C.C. 13.04.220, Ordinance 1322, Section 19, and K.C.C. 13.04.230, Ordinance 1322, Section 20, and K.C.C. 13.04.240, Ordinance 1322, Section 21, as amended, and K.C.C. 13.04.250, Ordinance 1322, Section 22, and K.C.C. 13.04.260, Ordinance 1322, Section 23, and K.C.C. 13.04.270, Ordinance 1322, Section 24, and K.C.C. 13.04.280, Ordinance 1322 (part), as amended, and K.C.C. 13.04.290, Ordinance 931, Section 1, as amended, and K.C.C. 13.08.010, Ordinance 931, Section 3, as amended, and K.C.C. 13.08.020, Ordinance 931, Section 4, as amended, and K.C.C. 13.08.030, Ordinance 931, Section 5, as amended, and K.C.C. 13.08.040, Ordinance 931, Section 6, as amended, and K.C.C. 13.08.050, Ordinance 8330, Section 35, and K.C.C. 13.08.055, Ordinance 931, Section 7, as amended, and K.C.C. 13.08.060, Ordinance 931, Section 8, as amended, and K.C.C. 13.08.070, Ordinance 931, Section 9, as amended, and K.C.C. 13.08.080, Ordinance 931, Section 10, as amended, and K.C.C. 13.08.090, Ordinance 931, Section 11, as amended, and K.C.C. 13.08.100, Ordinance 931, Section 12, as amended, and K.C.C. 13.08.110, Ordinance 931, Section 13, as amended, and K.C.C. 13.08.120, Ordinance 931 (part), as amended, and K.C.C. 13.08.130, Ordinance 931 (part), as amended, and K.C.C. 13.08.140, Ordinance 931, Section 15, as amended, and K.C.C. 13.08.150, Resolution 11304, Section 1, and K.C.C. 13.12.010, Resolution 11304, Section 2, and K.C.C. 13.12.020, Resolution 11304, Section 3, and K.C.C. 13.12.030, Resolution 11304, Section 5, and K.C.C. 13.12.040, Resolution 11304, Section 6, and K.C.C. 13.12.050, Resolution 11304 (part), as amended, and K.C.C. 13.12.060, Resolution 11304, Section 9, and K.C.C. 13.12.070, Resolution 9203 (part) and K.C.C. 13.16.010, Resolution 9203 (part) and K.C.C. 13.16.020, Resolution 9203 (part) and K.C.C. 13.16.030, Resolution 15311, Section 1, as amended, and K.C.C. 13.20.010, Resolution 15311, Section 2, as amended, and K.C.C. 13.20.020 and Ordinance 3054, Section 3, as amended, and K.C.C. 13.20.030 are each hereby repealed.

SECTION 2. Ordinance 1490, Section 1, and K.C.C. 8.60.010 are each hereby amended to read as

follows:

Vendor - ~~((D))~~ disclosure form required. Before the prospective purchaser of any parcel of real property that is to be used for residential or business purposes, except that property being transferred by court order, and that is not served by an approved public or an approved private sewer system, has entered into a binding agreement to purchase, the prospective vendor shall disclose in a writing, in the form (called the disclosure form) prescribed in this chapter, whether, ~~((prior to))~~ before execution of the disclosure form, the parcel has been ~~((subjected to a percolation test which meets the standards imposed by Chapter 13.08 (or any subsequent ordinance altering these standards) and rules issued pursuant thereto; provided, that,))~~ found to be suitable for installation of an on-site sewage system in accordance with the design and construction standards contained in the King County board of health code title 13. ~~((i))~~ In the alternative, the prospective purchaser in writing on the disclosure form may waive the vendor's disclosure either unconditionally or upon the condition that the sale will not be closed unless the parcel is ~~((subjected to a percolation test which meets the above requirements))~~ found to be suitable for installation of an on-site sewage system in accordance with the design and construction standards contained in the King County board of health code title 13.

If the parcel has been ~~((tested))~~ evaluated for its feasibility for an on-site sewer system, the disclosure form shall disclose the date and the conclusions of the ~~((percolation test))~~ evaluation, and the prospective vendor must sign the form and represent that ~~((his))~~ the prospective vendor's statements are true. The disclosure form must be signed by the prospective purchaser and the date of ~~((his))~~ the prospective purchaser's signature must be written on the form. If the prospective vendor had an ~~((test))~~ on-site sewer system feasibility evaluation performed upon the parcel, a copy of the report of the licensed engineer or certificated system designer who performed that ~~((test))~~ evaluation must be attached to the disclosure form. If the prospective vendor has not had an ~~((percolation test))~~ on-site sewer system feasibility evaluation performed upon the parcel, the vendor must sign a statement representing that fact and a statement either representing that ~~((he))~~ the vendor has no knowledge concerning the possibility of installing an ~~((septic tank))~~ on-site sewer system on the parcel

or indicating what knowledge ~~((he))~~ the vendor has.

SECTION 3. Ordinance 1490, Section 2, as amended, and K.C.C. 8.60.020 are each hereby amended to read as follows:

Vendor - ~~((D))~~disclosure form - ~~((C))~~contents. Vendor's disclosure shall be substantially in the following form. The forms shall be printed and designed in a manner that facilitates comprehension and ease of reading by the prospective purchaser.

"(DISCLOSURE FORM)

"(~~King County Ordinance No. _____~~) K.C.C. 8.60.020 requires the following disclosure or alternative waiver form be completed ~~((prior to))~~ before entry into a binding agreement to purchase.

"NOTICE TO PURCHASER

"If there is no reasonable access to a public sanitary sewer system from the parcel you are thinking of buying, you must install a private sewer system approved by the King County Department of Public Health in order to build a house or any structure which will be used for human habitation. No building permits are issued for parcels ~~((which))~~ that cannot have access to approved public or approved private sewer systems. No permit will be issued for and no ~~((septic tank))~~ on-site sewage systems may be located on this parcel unless it has ~~((been subjected to a percolation test within one year prior to))~~ received site design approval by the King County Department of Public Health before application for a building permit. ~~((Even if a timely percolation test has been made, no permit will be issued and no septic tank system may be located on this parcel if the Department of Health has not approved the plan for and approved the installation of the private sewer system.))~~ Before you enter into an agreement to purchase this parcel, you should contact the King County Department of Public Health to determine the procedures for installing a private sewer system.

"Your seller may have had an ~~((percolation test))~~ evaluation of on-site sewage system feasibility made on the parcel by a registered civil or sanitary engineer or certificated sewage disposal system designer. If so, that fact and the conclusions of the ~~((test))~~ evaluation appear below.

"SELLER'S REPRESENTATIONS

"I. ~~((PERCOLATION TEST))~~ ON-SITE SEWAGE SYSTEM EVALUATION

Seller must complete either statement A or statement B as appropriate.

"A. My agent _____, a registered

(name of agent)

civil or sanitary engineer or certificated sewage disposal system designer, has conducted ~~((percolation tests))~~ an evaluation on this parcel:

_____ (legal description)

The ~~((percolation test))~~ evaluation was conducted on

(date)

From the ~~((tests))~~ evaluation, my agent concluded that an ~~((septic tank))~~ on-site system

_____ be installed

(could or could not)

on this parcel in conformance with standards set by King County and in effect at the date of the ~~((test))~~

evaluation.

I represent that the statements above are true.

(seller's signature)

(date)

"B. No ~~((percolation tests))~~ on-site sewage system evaluations have been conducted on this parcel:

(legal description)

I have no knowledge material to a determination whether an on-site sewage system may be installed on this parcel, except as follows:

(to be completed by seller)

I represent that the statements above are true.

(seller's signature)

(date)

"BUYER'S SIGNATURE

"I have read this statement and understand its contents.

(Prospective purchaser's signature)

(date)

"WAIVER (IN THE ALTERNATIVE)

"I have read this disclosure form and understand its contents. I waive vendor's disclosure [] unconditionally.

(Or) [] upon the condition this sale will not be closed unless this parcel is subjected to an ~~((percolation test~~
~~which))~~ on-site sewage system evaluation that meets the requirements of the King County Department of
Public Health.

" _____

(Prospective Purchaser's signature)

" _____ "

(date)

SECTION 4. Ordinance 1490, Section 3, and K.C.C. 8.60.030 are each hereby amended to read as follows:

Vendor - ~~((D))~~disclosure and alternative waiver forms - ~~((F))~~filing. Three copies of each disclosure or alternative waiver form must be prepared. One copy shall be retained by the prospective vendor; one copy shall be retained by the prospective purchaser. If the prospective purchaser enters into a binding agreement to purchase, the vendor shall ~~((file))~~ record the third copy with the King County ~~((Department of Records and Elections))~~ records, elections and licensing services division when other documents are recorded.

SECTION 5. Ordinance 12196, Section 11, as amended, and K.C.C. 20.20.040 are each hereby amended to read as follows:

Application requirements. A. The department shall not commence review of any application set forth in this chapter until the applicant has submitted the materials and fees specified for complete applications. Applications for land use permits requiring Type 1, 2, 3 or 4 decisions shall be considered complete as of the date of submittal upon determination by the department that the materials submitted meet the requirements of this section. Except as provided in K.C.C. 20.20.040B, all land use permit applications described in K.C.C. 20.20.020 Exhibit A shall include the following:

1. An application form provided by the department and completed by the applicant that allows the applicant to file a single application form for all land use permits requested by the applicant for the

development proposal at the time the application is filed;

2. Designation of who the applicant is, except that this designation shall not be required as part of a complete application for purposes of this section when a public agency or public or private utility is applying for a permit for property on which the agency or utility does not own an easement or right-of-way and the following three requirements are met:

a. the name of the agency or private or public utility is shown on the application as the applicant;

b. the agency or private or public utility includes in the complete application an affidavit declaring that notice of the pending application has been given to all owners of property to which the application applies, on a form provided by the department; and

c. the form designating who the applicant is submitted to the department (~~((prior to))~~) before permit approval;

3.a. A certificate of sewer availability or (~~((site percolation data with preliminary))~~) site design approval for an on-site sewage system by the Seattle-King County department of public health, as required by the King County board of health code title 13; or

b. for public schools and public school facilities located in rural areas, a finding by King County that no cost-effective alternative technologies are feasible, a certificate of sewer availability, and a letter from the sewer utility indicating compliance with the tightline sewer provisions in the zoning code, as required by K.C.C. chapter ((13.08-09)) 13.24;

4. A current certificate of water availability, if required by K.C.C. chapter 13.24;

5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C. chapter 21A.40;

6. A site plan, prepared in a form prescribed by the director;

7. Proof that the lot or lots to be developed are recognized as a lot under this title;

8. A sensitive areas affidavit if required by K.C.C. chapter 21A.24;

9. A completed environmental checklist, if required by K.C.C. chapter 20.44;

10. Payment of any development permit review fees, excluding impact fees collectible pursuant to K.C.C. Title 27;

11. A list of any permits or decisions applicable to the development proposal that have been obtained ~~((prior to))~~ before filing the application or that are pending before the county or any other governmental entity;

12. Certificate of transportation concurrency from the department of transportation if required by K.C.C. chapter 14.70;

13. Certificate of future connection from the appropriate purveyor for lots located within the urban growth area which are proposed to be served by on-site or community sewage system and group B water systems or private well, if required by K.C.C. 13.24.136 through 13.24.140;

14. A determination if drainage review applies to the project pursuant to K.C.C. chapter 9.04, and, if applicable, all drainage plans and documentation required by the Surface Water Design Manual adopted pursuant to K.C.C. chapter 9.04;

15. Current assessor's maps and a list of tax parcels to which public notice must be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4 decision;

16. Legal description of the site;

17. Variances obtained or required under K.C.C. Title 21A to the extent known at the date of application; and

18. For site development permits only, a phasing plan and a time schedule, if the site is intended to be developed in phases or if all building permits will not be submitted within three years.

B. A permit application is complete for purposes of this section when it meets the procedural submission requirements of the department and is sufficient for continued processing even though additional information may be required or project modifications may be undertaken subsequently. The determination of completeness shall not preclude the department from requesting additional information or studies either at the time of notice of completeness or subsequently if new or additional information is required or substantial

changes in the proposed action occur, as determined by the department.

((B-)) C. Additional complete application requirements for the following land use permits are set forth in the following sections of the King County Code:

1. Clearing and grading permits, K.C.C. 16.82.060.
2. Construction permits, K.C.C. 16.04.052.
3. Mobile home permits, K.C.C. 16.04.093.
4. Subdivision applications, short subdivision applications and binding site plan applications, K.C.C.

19A.08.150.

((C-)) D. The director may specify the requirements of the site plan required to be submitted for various permits and may waive any of the specific submittal requirements listed herein that are determined to be unnecessary for review of an application.

((D-)) E. The applicant shall attest by written oath to the accuracy of all information submitted for an application.

((E-)) F. Applications shall be accompanied by the payment of the applicable filing fees, if any, as established by K.C.C. Title 27.

30 days prior - official paper.

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