

RESOLUTION NO. H-2-2012

A RESOLUTION renewing the moratorium established in Resolution No. H-4-2011 on accepting permit applications, and the issuance of permits, for the repair, expansion or installation of on-site sewage systems on properties in the Covington and Woodland Creek Estates subdivisions ordered to connect to public sewer in Resolution no. H-3-2011, except as authorized by the health officer to address a significant threat to public health or safety.

WHEREAS, pursuant to RCW 70.05.160 and other lawful authority, the Thurston County Board of Health (Board) has the authority to enact moratoria, and the renewal thereof, affecting sewer hookups and on-site sewage systems; and

WHEREAS, RCW 36.70A.390 authorizes the adoption of moratoria or interim zoning controls; and

WHEREAS, the Board adopted Resolution H-3-2011 on October 11, 2011 which required the abandonment of on-site sewage systems (OSS) and the connection to public sewer of properties in the Woodland Creek Estates and Covington subdivisions; and

WHEREAS, the Board adopted Resolution No. H-4-2011 on October 11, 2011 which imposed a moratorium on accepting permit applications and issuing permits for repair, expansion or installation of OSS on properties in the Woodland Creek Estates and Covington subdivisions; and

WHEREAS, the moratorium adopted in Resolution H-4-2011 is effective for six months unless renewed in accordance with the provisions of RCW 70.05.160; and

WHEREAS, the moratorium adopted in Resolution H-4-2011 should be renewed as set forth herein.

NOW, THEREFORE, THE THURSTON COUNTY BOARD OF HEALTH HEREBY RESOLVES AS FOLLOWS:

Section 1. The Board of Health adopts the following findings of fact:

1. The findings of fact set forth in Resolution Nos. H-3-2011 and H-4-2011, adopted October 11, 2011, are adopted and incorporated herein by this reference.
2. Since October 11, 2011, construction of the sewer lines to serve the properties in the Woodland Creek Estates and Covington is in progress, and the public sewer is expected to be available later in 2012 with the first properties projected to be connected to the sewer system in the second half of 2012.

3. Pending availability of the public sewer to serve properties in the Woodland Creek Estates and Covington subdivisions, it is necessary to renew the moratorium established in Resolution No. H-4-2011 to protect surface water, ground water, and the public health from added pollutant loads from new or expanded on-site sewage systems, and to avoid construction costs for on-site sewage systems that will be required to be abandoned.

Section 2. Resolution No. H-4-2011 is renewed continuing the moratorium on accepting permit applications, and the issuance of permits, for the repair, expansion or installation of on-site sewage systems on properties in the Covington and Woodland Creek Estates subdivisions ordered to connect to public sewer in resolution no. H-3-2011, except as authorized by the health officer to address a significant threat to public health or safety.

Section 3. This resolution shall take effect immediately upon adoption and shall remain in effect for 6 months unless renewed by further action of the Board.


Section 4. Severability. If any provision of this Resolution or its application to any person or circumstance is held invalid, in whole or in part, for any reason, the remainder of this resolution or the application of the provision to other persons or circumstances shall not be affected.

ADOPTED: April 10, 2012

ATTEST:


BOARD OF HEALTH
Thurston County, Washington

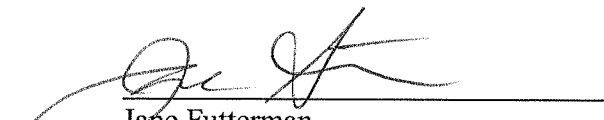

Clerk of the Board of Health


Sandra Romero, Chair

APPROVED AS TO FORM:

JON TUNHEIM
PROSECUTING ATTORNEY


Karen Valenzuela, Vice-Chair


Jane Futterman,
Sr. Deputy Prosecuting Attorney


Cathy Wolfe, Commissioner