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5 14 July 1976

Introduced By: BERNICE STERN

6 **2910** 76-675
7 ORDINANCE NO. 2910

8 AN ORDINANCE relating to the repeal of, sub-
9 stitution of sections in, and adding of new
10 sections to various public health and land
11 use ordinances, all for the purpose of
12 deleting present enforcement procedures
13 and incorporating by reference a uniform
14 enforcement ordinance and to alter the
15 function of the Board of Appeals in certain
16 enforcement and appellate matters. Repealing
17 the following: Resolution 2005, Part Second,
18 and KCC 8.12.030; Ordinance 1946, Section 3,
19 and KCC 8.38.030; Resolution 28938, sections
20 9 (part), 10 (part) and 18, and KCC 8.40.240,
21 8.40.250, 8.40.270 and 8.40.360; Ordinance
22 488, sections 2, 9, 33 and 8 (part), and KCC
23 8.44.010, 8.44.020, 8.44.270, .280, .290 and
24 .860; Resolution 31103, sections 5, 6, 11 and
25 13, and KCC 8.52.050, 8.52.060, 8.52.110
26 and 8.52.130; Ordinance 451, sections 5(B),
27 5(C), 5(D), 5(E), 5(F) and 15, and KCC 8.56.060,
28 8.56.070, 8.56.080, 8.56.090, 8.56.100 and
29 8.56.210; Ordinance 1490, sections 4, 5 and
30 6, and KCC 8.60.040, .050 and .060; Resolu-
31 tion 8778, section 15, and KCC 10.04.150;
32 Ordinance 1006, section 5, Resolution 24834,
33 section 2H, and KCC 10.08.090; Resolution
24834, section 7, and KCC 10.08.260; Ordinance
800, section 7, and KCC 10.12.060; Resolution
6894, sections 6 and 7, and KCC 10.16.060 and
.070; Resolution 24553, section 6, and KCC
10.20.060; Resolution 27312, section 7, and
KCC 11.12.070; Ordinance 1322, section 25,
and KCC 13.04.250; Ordinance 1139, section
14, and Ordinance 931, sections 2 and 14, and
KCC 13.08.020 and 13.08.140; Resolution
11304, sections 4 and 7, and KCC 13.12.040
and 13.12.070; Resolution 22903 (part), and
KCC 14.24.020; Resolution 8777, section 6,
and KCC 14.28.090; Resolution 9793, Para.
4(b) and 8, and KCC 14.32.100 and .230;
Ordinance 1711, section 11, and KCC 14.44.110;
Ordinance 2096, Ch. 2, sections 3 and 4, Ch.
3, section 3, Ch. 4, sections 3, 4, 7, 9, 10,
11, 12, 13 and 14, Ch. 5, sections 3, 5, 6,
8, 12, 13, 14, 15, 16, 17, 18 and KCC 16.08.030
and .040, KCC 16.12.030, KCC 16.16.030, .040,
.070, .090, .100, .110, .120, .130 and .140,
KCC 16.20.030, .050, .060, .080, .120, .130,
.140, .150, .160, .170, and .180; Resolution
28817, section 1.400, and KCC 16.32.400;

Resolution 34798, section 12.037, and KCC 16.65.030; Resolution 21284, section 6 and KCC 16.70.060; Resolution 23316 (part) and KCC 16.74.020; Ordinance 1283, sections 6, 7, 8, 9, 10 and 11 and KCC 16.78.060, .070, .080, .090, .100 and .110; Ordinance 1488, sections 15, 16, 17, 18, 19, 20, 21, 22 and 23, and KCC 16.82.140, .150, .160, .170, .180, .190, .200, .210 and .220; Ordinance 2097, section 7 and KCC 17.04.070; Ordinance 2394, section 6, Ordinance 822, section 9, Ordinance 531, section 7, and KCC 18.04.100; Resolution 20433, sections 4.7 (part) and 9, and KCC 18.12.080, .090 and 18.24.030; Ordinance 1402, section 11, and KCC 20.40.110; Resolution 25789, section 2805, and KCC 21.58.070; Ordinance 1219 and KCC Chapter 21.69.

Adding a new section to the following: Resolution 2005 and KCC Chap. 8.12; Resolution 585, regulation 4, and KCC Chap. 8.36; Ordinance 1946 and KCC chap. 8.38; Ordinance 488 and KCC chap. 8.44; Resolution 31103 and KCC chap. 8.52; Ordinance 1490 and KCC chap. 8.60; Resolution 8778 and KCC chap. 10.04; Resolution 24553 and KCC chap. 10.20; Resolution 27312 and KCC chap. 11.12; Ordinance 1322 and KCC chap. 13.04; Ordinance 931 and KCC chap. 13.08; Resolution 11304 and KCC chap. 13.12; Resolution 28817 and KCC chap. 16.65; Ordinance 2097 and KCC chap. 17.04; Resolution 20433 and KCC chap. 18.24; Ordinance 1006, Resolution 24834 and KCC chap. 10.08; Ordinance 800 and KCC chap. 10.12; Resolution 6894 and KCC chap. 10.16; Resolution 22903 and KCC chap. 14.24; Resolution 8777 and KCC chap. 14.28; Resolution 9793 and KCC chap. 14.32; Resolution 23316 (part) and KCC 16.79; Ordinance 2281 and KCC 20.50; Ordinance 2096 and KCC 16.08, 16.12, 16.16 and 16.20; Resolution 21284 and KCC 16.70; Ordinance 1283 and KCC 16.78; Ordinance 1488 and KCC chap. 16.82; Ordinance 2394, Ordinance 822, Ordinance 531 and KCC chap. 18.04; Resolution 11792, Resolution 11048 and KCC chap. 19.40; Ordinance 1402 and KCC chap. 20.40; Resolution 25789 and KCC chap. 21.58; Ordinance 1711 and KCC chap. 14.44. Substituting a new section for the following: Ordinance 1946, section 1, and KCC 8.38.010; Resolution 28938, section 17, and KCC 8.40.340; Ordinance 451, section 3, and KCC 8.56.030; and Resolution 28817, section 1.290, and KCC 16.32.290. Amending the following: Resolution 28938, section 12 (part), and KCC 8.40.300; Ordinance 488, section 30, and KCC 8.44.310; Resolution 31103, section 2, and KCC 8.52.020; Ordinance 1322, section 4, and KCC 13.04.030; Ordinance 931, section 4, Ordinance 1139, section 4, Ordinance 1385, section 2, and KCC

13.08.040; Ordinance 931, section 5, Ordinance 1139, section 5, and KCC 13.08.050; Resolution 25789, sections 2806, 2807 and 2808, and KCC 21.58.080, .090 and .100.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. The following ordinances and resolutions and parts and sections of ordinances and resolutions are hereby repealed:

1. Resolution 2005, Part Second (1925), and KCC 8.12.020;
2. Ordinance 1946, section 3 (1974), and KCC 8.38.030;
3. Resolution 28938, sections 9 (part), 10 (part) and 18 (1964), and KCC 8.40.240, .250, .270 and .360;
4. Ordinance 488, sections 2, 8 (part), 9 and 33 (1970) and KCC 8.44.010, .020, .270, .280, .290 and .860;
5. Resolution 31103, sections 5, 6, 11 and 13 (1965), and KCC 8.52.050, .060, .110 and .130;
6. Ordinance 451, sections 5(B), 5(C), 5(D), 5(E) 5(F) and 15 (1970) and KCC 8.56.060, .070, .080, .090, .100 and .210;
7. Ordinance 1490, sections 4, 5 and 6 (1973), and KCC 8.60.040, .050 and .060;
8. Resolution 8778, section 15 (1943), and KCC 10.04.150;
9. Ordinance 1006, section 5 (1971), Resolution 24834, section 2H (1962), and KCC 10.08.090; Resolution 24834, section 7 (1962), and KCC 10.08.260;
10. Ordinance 800, section 7 (1971), and KCC 10.12.060;
11. Resolution 6894, sections 6 and 7 (1938), and KCC 10.16.060 and .070;
12. Resolution 24553, section 6 (1962), and KCC 10.20.060;
13. Resolution 27312, section 7 (1964), and KCC

- 11.12.070;
14. Ordinance 1322, section 25 (1972), and KCC
13.04.250;
15. Ordinance 931, sections 2 and 14 (1971), as
amended by Ordinance 1139, sections 2 and 14 (1972), and KCC
13.08.020 and .140;
16. Resolution 11304, sections 4 and 7 (1949), and
KCC 13.12.040 and .070;
17. Resolution 22903 (part) (1961), and KCC 14.24.020;
18. Resolution 8777, section 6 (1943), and KCC
14.28.090;
19. Resolution 9793, Para. 4(b) and 8 (1945), and
KCC 14.32.100 and .230;
20. Ordinance 1711, section 11 (1973), and KCC
14.44.110;
21. Ordinance 2096 (1974) Ch. 2, sections 3 and 4,
Ch. 3, section 3, Ch. 4, sections 3, 4, 7, 9, 10, 11, 12, 13
and 14, Ch. 5, sections 3, 5, 6, 8, 12, 13, 14, 15, 16, 17, 18
and KCC 16.08.030 and .040, KCC 16.12.030, KCC 16.16.030, .040,
.070, .090, .100, .110, .120, .140, and KCC 16.20.030
1050, .060, .080, .120, .130, .140, .150, .160, .170 and .180;
22. Resolution 28817, section 1.400 (1964), and
KCC 16.32.400;
23. Resolution 34798, section 12.037 (1968), and
KCC 16.65.030;
24. Resolution 21284, section 6 (1960), and KCC
6.70.060; and KCC 16.70.060;
25. Resolution 23316, part (1961), and KCC 16.74.020;
26. Ordinance 1283, sections 6, 7, 8, 9, 10 and 11
(1972), and KCC 16.78.060, .070, .080, .090, .100 and .110;
27. Ordinance 1488, sections 15, 16, 17, 18, 19, 20,

21, 22 and 23 (1973), and KCC 16.82.140, .150, .160, .170, .180, .190, .200, .210 and .220;

28. Ordinance 2097, section 7 and KCC 17.04.070;

29. Ordinance 2394, section 6 (1975), Ordinance 822, section 9 (1971), Ordinance 531, section 7 (1970), and KCC 18.04.100;

30. Resolution 20433, sections 4.7 (part) and 9 (1959), and KCC 18.12.080, .090 and 18.24.030;

31. Ordinance 1402, section 11 (1972), and KCC 20.40.110;

32. Resolution 25789, section 2805 (1963), and KCC 21.58.070;

33. Ordinance 1219 (1972) and KCC chap. 21.69.

SECTION 2. The new section appearing below is hereby added to the following Ordinances, Resolutions and Chapters of the King County Code: Resolution 2005 (1925) and KCC chap. 8.12; Resolution 585, regulation 4 (1920) and KCC chap. 8.36; Ordinance 1946 (1974) and KCC chap. 8.38; Ordinance 488 (1970) and KCC chap. 8.44; Resolution 31103 (1965) and KCC chap. 8.52; Ordinance 1490 (1973) and KCC chap. 8.60; Resolution 8778 (1943) and KCC chap. 10.04; Resolution 24553 (1962) and KCC chap. 10.20; Resolution 27312 (1964) and KCC chap. 11.12; Ordinance 1322 (1972) and KCC chap. 13.04; Ordinance 1139 (1972), Ordinance 931 (1971) and KCC chap. 13.08; Resolution 11304 (1949) and KCC chap. 13.12; Resolution 28817 (1964) and KCC chap. 16.65; Resolution 20433 (1959), and KCC chap. 18.24.

NEW SECTION. Enforcement. The Director of the Seattle-King County Department of Public Health is hereby authorized to enforce the provisions of this Ordinance, Resolution, and Chapter of the King County Code and any rules and regulations promulgated thereunder pursuant to the enforcement

1 and penalty provisions of Ordinance No. 2909.

2 SECTION 3. The new section appearing below is hereby
3 added to the following Ordinances, Resolutions and Chapters
4 of the King County Code: Ordinance 1006 (1971), Resolution
5 24834 (1962) and KCC chap. 10.08; Ordinance 800 (1971) and KCC
6 chap. 10.12; Resolution 6894 (1938) and KCC chap. 10.16; Reso-
7 lution 22903 (1961) and KCC chap. 14.24; Resolution 8777 (1943)
8 and KCC chap. 14.28; Resolution 9793 (1945) and KCC chap. 14.32.
9 Resolution 23316, part (1961) and KCC chap. 16.74; Ordinance
10 2281 (1975), and KCC chap. 20.50.

11 NEW SECTION. Enforcement. The Director of the Depart-
12 ment of Public Works and Transportation is hereby authorized to
13 enforce the provision of this Ordinance, Resolution, and Chapter
14 of the King County Code and any rules and regulations promul-
15 gated thereunder pursuant to the enforcement and penalty pro-
16 visions of Ordinance No. 2909.

17 SECTION 4. The new section appearing below is hereby
18 added to the following Ordinances, Resolutions, Chapters and
19 Titles of the King County Code: Ordinance 2096 (1974) and KCC
20 Chaps. 16.08, 16.12, 16.16, and 16.20; Resolution 21284 (1960)
21 and KCC Chap. 16.70; Ordinance 1283 (1972) and KCC Ch. 16.78;
22 Ordinance 1488 (1973) and KCC chap. 16.82; Ordinance 2394
23 (1975), Ordinance 822 (1971), Ordinance 531 (1970), and KCC
24 chap. 18.04; Resolution 11792 (1950), Resolution 11048 (1948)
25 and KCC chap. 19.40; Ordinance 1402 (1972) and KCC chap. 20.40;
26 Resolution 25789 (1963) and KCC Title 21.

27 NEW SECTION. Enforcement. The Director of the
28 Department of Planning and Community Development is hereby autho-
29 rized to enforce the provisions of this Ordinance, Resolution,
30 Chapter or Title of the King County Code and any rules and
31 regulations promulgated thereunder pursuant to the enforcement
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1 and penalty provisions of Ordinance No. 2909.

2 SECTION 5. The new section appearing below is hereby
3 added to Ordinance 1711 (1973) and KCC chap. 14.44.

4 NEW SECTION. Enforcement. The Director of the Depart-
5 ment of Public Works and the Director of the Seattle-King County
6 Department of Public Health are hereby authorized to enforce
7 the provisions of this Ordinance and Chapter of the King County
8 Code and any rules and regulations adopted thereunder pursuant
9 to the enforcement and penalty provisions of Ordinance No.
10 2909.

11 SECTION 6. The new section appearing below is hereby
12 added to Ordinance 2097 (1974) and KCC Chapter 17.04.

13 NEW SECTION. Enforcement. The fire marshall and
14 Bureau of Fire Prevention are hereby authorized to enforce the
15 provisions of this ordinance and Chapter of the King County Code
16 and any rules and regulations adopted thereunder pursuant to the
17 enforcement and penalty provisions of Ordinance No. 2909.

18 SECTION 7. Ordinance 1946, Section 1 (1974) and KCC
19 8.38.010 are each hereby repealed, and the following is substi-
20 tuted:

21 Right of Entry for Inspection. All premises shall, at
22 all times, be kept free from rodents. The director of the
23 Seattle-King County Health Department or his appointed repre-
24 sentative shall be permitted access to such premises, in accor-
25 dance with the procedures of Ordinance No. 2909, for the
26 purpose of ascertaining the presence of rodents.

27 SECTION 8. Resolution 28939, Section 17 (1964) and
28 KCC 8.40.340 are each hereby repealed, and the following is
29 substituted:

30 Enforcement. The Director of the Seattle-King County
31 Department of Public Health is hereby authorized to enforce the
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1 provisions of this Ordinance and any rules and regulations
2 promulgated thereunder pursuant to the enforcement and penalty
3 provisions contained in Ordinance No. 2909, and in accordance
4 with the compliance provisions of the United States Public
5 Health Service Food Service Sanitation Ordinance and Code.

6 SECTION 9. Ordinance 451, section 3 (1970) and KCC
7 8.56.030 are each hereby repealed, and the following is sub-
8 stituted:

9 Enforcement. The Director of Public Health shall
10 enforce this Ordinance and for such purposes may establish rules
11 and regulations consistent with this Ordinance and relating to
12 such standards of construction, disinfection, recirculation,
13 filtration, water quality, and waste disposal as are reasonably
14 necessary to ensure safe and sanitary operation of public or
15 semi-public swimming pools. The Director of Public Health is
16 hereby authorized to enforce the provisions of this Ordinance
17 and any rules and regulations promulgated thereunder pursuant to
18 the enforcement and penalty provisions contained in Ordinance
19 No. 2909.

20 SECTION 10. Resolution 28817, section 1.290 (1964)
21 and KCC 16.32.290 are each hereby repealed, and the following is
22 substituted:

23 Enforcement. The Director of the Seattle-King County
24 Department of Public Health is hereby authorized to enforce the
25 provisions of this Ordinance and any rules and regulations
26 adopted thereunder pursuant to the enforcement and penalty
27 provisions of Ordinance No. 2909. He may adopt rules and
28 regulations consistent with Chapters 16.32 - 16.62 as he may
29 deem necessary to their enforcement. The Director may also
30 enter any building or premises at any reasonable time, under
31 procedures established in Ordinance No. 2909, to perform
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1 any duty imposed on him by Chapters 16.32 - 16.62.

2 SECTION 11. Resolution 32224, section 15 (part)
3 (1964) and KCC 8.40.300 are amended to read as follows:

4 The health officer making such inspection shall notify
5 the permit holder or manager of all violations he may find by
6 delivering to him a properly filled out inspection report form
7 or other written notice. In such notification, the health
8 officer shall set forth the specific violations found, together
9 with the demerit score of the establishment. When a demerit
10 score is twenty or less, all violations of two or four demerit
11 points must be corrected by the time of the next routine
12 inspection; or when the demerit score is more than twenty but
13 not more than forty, all items of two or four demerit points
14 must be corrected within thirty days; or when one or more six
15 demerit point items are in violation, regardless of demerit
16 score, all such items must be corrected within ten days. When
17 the demerit score is more than forty, the health officer shall
18 immediately suspend the permit. All violations in temporary
19 food service establishments must be corrected within twenty-four
20 hours of notice thereof. Failure to comply with such notice
21 shall result in immediate suspension of the permit.

22 SECTION 12. Ordinance 488, section 30 (1970), and
23 KCC 8.44.310 are amended to read as follows:

24 It is unlawful for anyone to employ a person as a
25 meat cutter, apprentice meat cutter, meat wrapper or meat
26 wrapper salesman when such person does not possess a valid
27 license to act in such capacity as required under this chapter,
28 or does not possess a valid food and beverage service workers'
29 permit.

30 SECTION 13. Resolution 31103, section 2 (1965), and
31 KCC 8.52.020 are amended to read as follows:
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1 Every particle of the combined milk, cream, milk
2 product or other ingredients used in the manufacture of a frozen
3 dessert mix shall be heated and held at temperature of not less
4 than one hundred fifty-five degrees Fahrenheit for not less than
5 thirty minutes, or one hundred seventy-five degrees Fahrenheit
6 for not less than twenty-five seconds or not less than one
7 hundred ninety-four degrees Fahrenheit by the Vacreator process
8 in approved and properly operated equipment. Provided, that
9 nothing contained in this requirement shall be construed as
10 barring any other method or process, as may be demonstrated to
11 be equally efficient and which is approved by the health of-
12 ficer.

13 No person shall, within the county or its police
14 jurisdiction, manufacture, freeze, sell, offer or expose for
15 sale, or have in possession with intent to sell, any mix or
16 frozen dairy food which is adulterated or misbranded. It is
17 unlawful for any person, elsewhere than in a private home, to
18 have in possession adulterated or misbranded mix or frozen dairy
19 food. Any adulterated, misbranded or improperly labeled mix
20 or frozen dairy food may be impounded by the health officer and
21 disposed of in accordance with the following procedure:

22 Frozen dairy food may be examined or sampled by the
23 health officer as often as may be necessary to determine freedom
24 from adulteration or misbranding. The health officer may, upon
25 written notice to the owner or person in charge, place a hold
26 order on any frozen dairy food which he determines or has
27 probable cause to believe to be unwholesome or otherwise adul-
28 terated, or misbranded. Under a hold order, frozen dairy food
29 shall be permitted to be suitably stored. It is unlawful for
30 any person to remove or alter a hold order, notice or tag placed
31 on frozen dairy food by the health officer, and neither such
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1 food nor the containers thereof shall be relabeled, repacked,
2 reprocessed, altered, disposed of, or destroyed without per-
3 mission of the health officer, except on order by a court of
4 competent jurisdiction.

5 It shall be the duty of all persons to whom mix or
6 frozen dairy foods are delivered to rinse thoroughly the multi-
7 use containers in which such mix or frozen dairy foods are
8 delivered before returning such multi-use containers.

9 All delivery containers in which mix is delivered
10 from the mix manufacturer shall bear the identity of the
11 manufacturer and shall plainly show the "pull" date or the date
12 limit for its use.

13 The product contact surfaces of all frozen dairy
14 foods freezers and other equipment used in processing or pre-
15 paring frozen dairy foods shall be thoroughly cleaned by methods
16 approved by the health officer at least once in every twenty-
17 four hours. All such equipment shall be sanitized by methods
18 approved by the health officer just prior to reuse.

19 Product drip or overflow, or spilled mix or frozen
20 dairy foods or their ingredients, shall not be sold for human
21 consumption.

22 Dispensing scoops, spoons, and dippers, used in
23 serving frozen dairy foods, shall be stored, between uses,
24 either in an approved running water dipper well, or in a manner
25 approved by the health officer.

26 SECTION 14. Ordinance 1322, Section 4 (1972), and
27 KCC 13.04.030 are amended to read as follows:

28 Whenever the public health or public safety requires
29 that any building or premises be connected with the public
30 sewer in the manner provided in Section 13.04.020, the director
31 of public health shall serve upon the owner, agent or occupant
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1 of said premises a notice in writing, specifying the time within
2 which such connection must be made, which shall not be more than
3 sixty days from the date of service of such notice. If such
4 owner, agent or occupant fails, neglects or refuses to connect
5 said building or premises with the public sewer within the time
6 specified in such notice, King County may make such connection
7 and the cost of the connection shall be assessed against the
8 property so connected and the amount thereof shall become a
9 lien upon the premises so connected.

10 SECTION 15. Ordinance 931, section 4 (1971), as
11 amended by Ordinance 1139, section 4 (1972), and Ordinance 1385,
12 section 2 (1972), and KCC 13.08.040 are amended to read as
13 follows:

14 (1) It is unlawful to engage in business as a sewage
15 disposal system designer without a currently valid sewage
16 disposal system designers certificate of competency, as provided
17 for in this chapter, or a currently valid state of Washington
18 sanitary or civil engineers license.

19 (2) The fee for a sewage disposal system designer's
20 certificate of competency shall be fifty dollars per year.

21 (3) The fee for the sewage disposal system designer's
22 examination shall be twenty-five dollars payable in advance and
23 not refundable. Separate, special examinations shall be given
24 to those licensed designers desiring to design dosing systems
25 and/or prepare subdivision reports. The fees for these addi-
26 tional examinations shall be ten dollars each, payable in
27 advance and not refundable.

28 (4) The director of public health may suspend or
29 revoke any sewage disposal system designer's certificate of
30 competency for incompetency, negligence, misrepresentation, or
31 failure to comply with this chapter or the rules and regulations
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1 of the director of public health adopted pursuant to this
2 chapter.

3 SECTION 16. Ordinance 931, section 5, as amended
4 by Ordinance 1139, section 5 (1972), and KCC 13.08.050 are
5 amended to read as follows:

6 (1) It is unlawful to engage in business as a sewage
7 disposal system installer without a currently valid sewage
8 disposal system installer's certificate of competency.

9 (2) The fee for a sewage disposal system installer's
10 certificate of competency shall be one hundred dollars per year.

11 (3) Prior to the issuance of a commercial installer's
12 certificate of competency, the applicant must provide a surety
13 bond approved as to form by the King County Prosecuting Attorney
14 in the sum of one thousand dollars running to King County,
15 Washington, executed by a surety company authorized to do
16 business in the state of Washington. The bond shall be condi-
17 tioned that the holder of the certificate of competency and his
18 agents in performing work governed by the ordinance shall
19 exercise all reasonable care and skill and shall fully comply
20 with all provisions of this chapter pertaining to sewage
21 disposal.

22 (4) Application for a sewage disposal system in-
23 staller's certificate of competency shall be made to the director
24 of public health, who may examine the applicant, and may deny
25 the application if in his judgment the applicant is not quali-
26 fied to install sewage disposal systems.

27 (5) The director of public health may suspend or
28 revoke any sewage disposal system installer's certificate of
29 competency for incompetency, negligence, misrepresentation, or
30 failure to comply with this chapter or the rules and regulations
31 of the director of public health adopted pursuant to the ordinance
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codified herein.

(6) Sewage disposal system installer's certificates of competency shall expire December 31st of each year.

SECTION 17. Resolution 25789, section 2806 (1963), and KCC 21.58.080 are amended to read as follows:

Appeals from decisions - Time limit. Appeals from variance and conditional use decisions may be taken to the board of appeals by any person aggrieved, or by any officer, department, board or bureau of the county affected by the decision. Such appeals shall be filed in writing in duplicate with the board of appeals within twenty days of the date of the action being appealed.

SECTION 18. Resolution 25789, section 2807 (1963), and KCC 21.58.090 are amended to read as follows:

Upon the filing with the board of appeals of an appeal, the matter shall be set for consideration, and notice given as provided in Chapter 21.62. Upon receiving notice of the appeal, the zoning adjustor shall forthwith transmit to the board of appeals all of the records pertaining to the decision being appealed, and his own written report and decision.

SECTION 19. Resolution 25789, section 2808 (1963), and KCC 21.58.100 are amended to read as follows:

The board of appeal's consideration shall be based upon the record developed before the zoning adjustor only. If, after examination of the written appeal and the record, the board determines that: (1) A material error in fact may exist in the record, it shall remand the proceeding to the zoning adjustor for reconsideration; or (2) The decision of the zoning adjustor is based upon an arbitrary or capricious error in judgment or conclusion based upon the applicable law and the record, it may reverse or affirm, wholly or in part, or may

1 modify the order, requirement, decision or determination appealed
2 from.

3 SECTION 20. The repeal or amendment of any provision
4 in an existing resolution or ordinance is not intended to and
5 shall not affect the validity of any enforcement action or
6 other proceeding initiated prior to the effective date of this
7 ordinance.

8 SECTION 21. Should any section, subsection, para-
9 graph, sentence, clause or phrase of this Ordinance be declared
10 unconstitutional or invalid for any reason, such decision shall
11 not affect the validity of the remaining portion of this
12 ordinance.

13 INTRODUCED AND READ for the first time this 2nd
14 day of August, 1976.

15 PASSED this 27th day of September, 1976.

16
17 KING COUNTY COUNCIL
18 KING COUNTY, WASHINGTON

19 Donie Rooney
20 Chairman

21 ATTEST:

22
23 Dorothy M. Quinn
24 Clerk of the Council

25 APPROVED this 1st day of October, 1976.

26 [Signature]
27 King County Executive