



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 28, 2002

Ordinance 14507

Proposed No. 2002-0125.1

Sponsors Patterson

1 AN ORDINANCE relating to sewer and water system
2 regulation; amending Ordinance 1490, Section 1, and
3 K.C.C. 8.60.010, Ordinance 1490, Section 2, as amended,
4 and K.C.C. 8.60.020, Ordinance 1490, Section 3, and
5 K.C.C. 8.60.030, and Ordinance 12196, Section 11, as
6 amended, and K.C.C. 20.20.040 and repealing Ordinance
7 1322, Section 2, as amended, and K.C.C. 13.04.010,
8 Ordinance 1322, Section 3, and K.C.C. 13.04.020,
9 Ordinance 1322, Section 4, as amended, and K.C.C.
10 13.04.030, Ordinance 1322, Section 5, and K.C.C.
11 13.04.040, Ordinance 1322, Section 6, and K.C.C.
12 13.04.050, Ordinance 1322, Section 7, and K.C.C.
13 13.04.060, Ordinance 1322, Section 8, and K.C.C.
14 13.04.070, Ordinance 1322, Section 9, and K.C.C.
15 13.04.080, Ordinance 1322, Section 10, and K.C.C.
16 13.04.090, Ordinance 1322, Section 11, as amended, and
17 K.C.C. 13.04.100, Ordinance 4608, Section 4, as amended,

18 and K.C.C. 13.04.110, Ordinance 4608, Section 5, and
19 K.C.C. 13.04.120, Ordinance 4608, Section 6, and K.C.C.
20 13.04.130, Ordinance 4608, Section 8, as amended, and
21 K.C.C. 13.04.140, Ordinance 1322, Section 12, and K.C.C.
22 13.04.150, Ordinance 1322, Section 13, and K.C.C.
23 13.04.160, Resolution 12873 (part) and K.C.C. 13.04.170,
24 Ordinance 1322, Section 14, and K.C.C. 13.04.180,
25 Ordinance 1322, Section 15, and K.C.C. 13.04.190,
26 Ordinance 1322, Section 16, and K.C.C. 13.04.200,
27 Ordinance 1322, Section 17, and K.C.C. 13.04.210,
28 Ordinance 1322, Section 18, and K.C.C. 13.04.220,
29 Ordinance 1322, Section 19, and K.C.C. 13.04.230,
30 Ordinance 1322, Section 20, and K.C.C. 13.04.240,
31 Ordinance 1322, Section 21, as amended, and K.C.C.
32 13.04.250, Ordinance 1322, Section 22, and K.C.C.
33 13.04.260, Ordinance 1322, Section 23, and K.C.C.
34 13.04.270, Ordinance 1322, Section 24, and K.C.C.
35 13.04.280, Ordinance 1322 (part), as amended, and K.C.C.
36 13.04.290, Ordinance 931, Section 1, as amended, and
37 K.C.C. 13.08.010, Ordinance 931, Section 3, as amended,
38 and K.C.C. 13.08.020, Ordinance 931, Section 4, as
39 amended, and K.C.C. 13.08.030, Ordinance 931, Section 5,
40 as amended, and K.C.C. 13.08.040, Ordinance 931, Section

41 6, as amended, and K.C.C. 13.08.050, Ordinance 8330,
42 Section 35, and K.C.C. 13.08.055, Ordinance 931, Section
43 7, as amended, and K.C.C. 13.08.060, Ordinance 931,
44 Section 8, as amended, and K.C.C. 13.08.070, Ordinance
45 931, Section 9, as amended, and K.C.C. 13.08.080,
46 Ordinance 931, Section 10, as amended, and K.C.C.
47 13.08.090, Ordinance 931, Section 11, as amended, and
48 K.C.C. 13.08.100, Ordinance 931, Section 12, as amended,
49 and K.C.C. 13.08.110, Ordinance 931, Section 13, as
50 amended, and K.C.C. 13.08.120, Ordinance 931 (part), as
51 amended, and K.C.C. 13.08.130, Ordinance 931 (part), as
52 amended, and K.C.C. 13.08.140, Ordinance 931, Section
53 15, as amended, and K.C.C. 13.08.150, Resolution 11304,
54 Section 1, and K.C.C. 13.12.010, Resolution 11304,
55 Section 2, and K.C.C. 13.12.020, Resolution 11304,
56 Section 3, and K.C.C. 13.12.030, Resolution 11304,
57 Section 5, and K.C.C. 13.12.040, Resolution 11304,
58 Section 6, and K.C.C. 13.12.050, Resolution 11304 (part),
59 as amended, and K.C.C. 13.12.060, Resolution 11304,
60 Section 9, and K.C.C. 13.12.070, Resolution 9203 (part)
61 and K.C.C. 13.16.010, Resolution 9203 (part) and K.C.C.
62 13.16.020, Resolution 9203 (part) and K.C.C. 13.16.030,
63 Resolution 15311, Section 1, as amended, and K.C.C.

64 13.20.010, Resolution 15311, Section 2, as amended, and
65 K.C.C. 13.20.020 and Ordinance 3054, Section 3, as
66 amended, and K.C.C. 13.20.030.

67

68

69 PREAMBLE:

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

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

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

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

83 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

84 SECTION 1. Ordinance 1322, Section 2, as amended, and K.C.C. 13.04.010,
85 Ordinance 1322, Section 3, and K.C.C. 13.04.020, Ordinance 1322, Section 4, as
86 amended, and K.C.C. 13.04.030, Ordinance 1322, Section 5, and K.C.C. 13.04.040,

87 Ordinance 1322, Section 6, and K.C.C. 13.04.050, Ordinance 1322, Section 7, and
88 K.C.C. 13.04.060, Ordinance 1322, Section 8, and K.C.C. 13.04.070, Ordinance 1322,
89 Section 9, and K.C.C. 13.04.080, Ordinance 1322, Section 10, and K.C.C. 13.04.090,
90 Ordinance 1322, Section 11, as amended, and K.C.C. 13.04.100, Ordinance 4608,
91 Section 4, as amended, and K.C.C. 13.04.110, Ordinance 4608, Section 5, and K.C.C.
92 13.04.120, Ordinance 4608, Section 6, and K.C.C. 13.04.130, Ordinance 4608, Section 8,
93 as amended, and K.C.C. 13.04.140, Ordinance 1322, Section 12, and K.C.C. 13.04.150,
94 Ordinance 1322, Section 13, and K.C.C. 13.04.160, Resolution 12873 (part) and K.C.C.
95 13.04.170, Ordinance 1322, Section 14, and K.C.C. 13.04.180, Ordinance 1322, Section
96 15, and K.C.C. 13.04.190, Ordinance 1322, Section 16, and K.C.C. 13.04.200, Ordinance
97 1322, Section 17, and K.C.C. 13.04.210, Ordinance 1322, Section 18, and K.C.C.
98 13.04.220, Ordinance 1322, Section 19, and K.C.C. 13.04.230, Ordinance 1322, Section
99 20, and K.C.C. 13.04.240, Ordinance 1322, Section 21, as amended, and K.C.C.
100 13.04.250, Ordinance 1322, Section 22, and K.C.C. 13.04.260, Ordinance 1322, Section
101 23, and K.C.C. 13.04.270, Ordinance 1322, Section 24, and K.C.C. 13.04.280, Ordinance
102 1322 (part), as amended, and K.C.C. 13.04.290, Ordinance 931, Section 1, as amended,
103 and K.C.C. 13.08.010, Ordinance 931, Section 3, as amended, and K.C.C. 13.08.020,
104 Ordinance 931, Section 4, as amended, and K.C.C. 13.08.030, Ordinance 931, Section 5,
105 as amended, and K.C.C. 13.08.040, Ordinance 931, Section 6, as amended, and K.C.C.
106 13.08.050, Ordinance 8330, Section 35, and K.C.C. 13.08.055, Ordinance 931, Section 7,
107 as amended, and K.C.C. 13.08.060, Ordinance 931, Section 8, as amended, and K.C.C.
108 13.08.070, Ordinance 931, Section 9, as amended, and K.C.C. 13.08.080, Ordinance 931,
109 Section 10, as amended, and K.C.C. 13.08.090, Ordinance 931, Section 11, as amended,

110 and K.C.C. 13.08.100, Ordinance 931, Section 12, as amended, and K.C.C. 13.08.110,
111 Ordinance 931, Section 13, as amended, and K.C.C. 13.08.120, Ordinance 931 (part), as
112 amended, and K.C.C. 13.08.130, Ordinance 931 (part), as amended, and K.C.C.
113 13.08.140, Ordinance 931, Section 15, as amended, and K.C.C. 13.08.150, Resolution
114 11304, Section 1, and K.C.C. 13.12.010, Resolution 11304, Section 2, and K.C.C.
115 13.12.020, Resolution 11304, Section 3, and K.C.C. 13.12.030, Resolution 11304,
116 Section 5, and K.C.C. 13.12.040, Resolution 11304, Section 6, and K.C.C. 13.12.050,
117 Resolution 11304 (part), as amended, and K.C.C. 13.12.060, Resolution 11304, Section
118 9, and K.C.C. 13.12.070, Resolution 9203 (part) and K.C.C. 13.16.010, Resolution 9203
119 (part) and K.C.C. 13.16.020, Resolution 9203 (part) and K.C.C. 13.16.030, Resolution
120 15311, Section 1, as amended, and K.C.C. 13.20.010, Resolution 15311, Section 2, as
121 amended, and K.C.C. 13.20.020 and Ordinance 3054, Section 3, as amended, and K.C.C.
122 13.20.030 are each hereby repealed.

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

125 **Vendor – ~~((D))~~disclosure form required.** Before the prospective purchaser of
126 any parcel of real property that is to be used for residential or business purposes, except
127 that property being transferred by court order, and that is not served by an approved
128 public or an approved private sewer system, has entered into a binding agreement to
129 purchase, the prospective vendor shall disclose in a writing, in the form (called the
130 disclosure form) prescribed in this chapter, whether, ~~((prior to))~~ before execution of the
131 disclosure form, the parcel has been ~~((subjected to a percolation test which meets the~~
132 ~~standards imposed by Chapter 13.08 (or any subsequent ordinance altering these~~

133 ~~standards) and rules issued pursuant thereto; provided, that,))~~ found to be suitable for
134 installation of an on-site sewage system in accordance with the design and construction
135 standards contained in the King County board of health code title 13. ((i))In the
136 alternative, the prospective purchaser in writing on the disclosure form may waive the
137 vendor's disclosure either unconditionally or upon the condition that the sale will not be
138 closed unless the parcel is ~~((subjected to a percolation test which meets the above~~
139 ~~requirements))~~ found to be suitable for installation of an on-site sewage system in
140 accordance with the design and construction standards contained in the King County
141 board of health code title 13.

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

178 should contact the King County Department of Public Health to determine the procedures
179 for installing a private sewer system.

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

184 "SELLER'S REPRESENTATIONS

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

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

187 "A. My agent _____, a registered

188 (name of agent)

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

191 _____
192 _____ (legal description)
193 _____

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

195 _____
196 (date)

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

198 _____
199 _____ be installed
200 (could or could not)

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

203 I represent that the statements above are true.

204 _____

205 (seller's signature)

206 _____

207 (date)

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

210 _____

211 (legal description)

212 _____

213 _____

214 _____ I have no knowledge material to a

215 determination whether an an ~~((septic tank))~~ on-site sewage system may be installed on this
216 parcel, except as

217 follows: _____

218 (to be completed by seller)

219 _____

220 _____

221 _____

222 I represent that the statements above are true.

223 _____

224 (seller's signature)

225 _____

226 (date)

227 "BUYER'S SIGNATURE

228 "I have read this statement and understand its contents.

229 _____

230 (Prospective purchaser's signature)

231 _____

232 (date)

233 "WAIVER (IN THE ALTERNATIVE)

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

235 [] unconditionally. (Or) [] upon the condition this sale will not be closed unless this

236 parcel is subjected to an ~~((percolation test which))~~ on-site sewage system evaluation that

237 meets the requirements of the King County Department of Public Health.

238 " _____

239 (Prospective Purchaser's signature)

240 " _____ "

241 (date)

242 SECTION 4. Ordinance 1490, Section 3, and K.C.C. 8.60.030 are each hereby

243 amended to read as follows:

244 **Vendor – ~~((D))~~disclosure and alternative waiver forms – ~~((F))~~filing.** Three

245 copies of each disclosure or alternative waiver form must be prepared. One copy shall be

246 retained by the prospective vendor; one copy shall be retained by the prospective

247 purchaser. If the prospective purchaser enters into a binding agreement to purchase, the
248 vendor shall ~~((file))~~ record the third copy with the King County ~~((Department of Records
249 and Elections))~~ records, elections and licensing services division when other documents
250 are recorded.

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

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

260 1. An application form provided by the department and completed by the
261 applicant that allows the applicant to file a single application form for all land use permits
262 requested by the applicant for the development proposal at the time the application is
263 filed;

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

- 269 a. the name of the agency or private or public utility is shown on the
270 application as the applicant;
- 271 b. the agency or private or public utility includes in the complete application
272 an affidavit declaring that notice of the pending application has been given to all owners
273 of property to which the application applies, on a form provided by the department; and
- 274 c. the form designating who the applicant is submitted to the department
275 ~~((prior to))~~ before permit approval;
- 276 3.a. A certificate of sewer availability or ~~((site percolation data with~~
277 ~~preliminary))~~ site design approval for an on-site sewage system by the Seattle-King
278 County department of public health, as required by the King County board of health code
279 title 13; or
- 280 b. for public schools and public school facilities located in rural areas, a
281 finding by King County that no cost-effective alternative technologies are feasible, a
282 certificate of sewer availability, and a letter from the sewer utility indicating compliance
283 with the tightline sewer provisions in the zoning code, as required by K.C.C. chapter
284 ~~((13.08 or))~~ 13.24;
- 285 4. A current certificate of water availability, if required by K.C.C. chapter
286 13.24;
- 287 5. A fire district receipt pursuant to K.C.C. Title 17, if required by K.C.C.
288 chapter 21A.40;
- 289 6. A site plan, prepared in a form prescribed by the director;
- 290 7. Proof that the lot or lots to be developed are recognized as a lot under this
291 title;

- 292 8. A sensitive areas affidavit if required by K.C.C. chapter 21A.24;
- 293 9. A completed environmental checklist, if required by K.C.C. chapter 20.44;
- 294 10. Payment of any development permit review fees, excluding impact fees
- 295 collectible pursuant to K.C.C. Title 27;
- 296 11. A list of any permits or decisions applicable to the development proposal
- 297 that have been obtained (~~(prior to)~~) before filing the application or that are pending before
- 298 the county or any other governmental entity;
- 299 12. Certificate of transportation concurrency from the department of
- 300 transportation if required by K.C.C. chapter 14.70;
- 301 13. Certificate of future connection from the appropriate purveyor for lots
- 302 located within the urban growth area which are proposed to be served by on-site or
- 303 community sewage system and group B water systems or private well, if required by
- 304 K.C.C. 13.24.136 through 13.24.140;
- 305 14. A determination if drainage review applies to the project pursuant to K.C.C.
- 306 chapter 9.04, and, if applicable, all drainage plans and documentation required by the
- 307 Surface Water Design Manual adopted pursuant to K.C.C. chapter 9.04;
- 308 15. Current assessor's maps and a list of tax parcels to which public notice must
- 309 be given as provided in this chapter, for land use permits requiring a Type 2, 3 or 4
- 310 decision;
- 311 16. Legal description of the site;
- 312 17. Variances obtained or required under K.C.C. Title 21A to the extent known
- 313 at the date of application; and

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

317 B. A permit application is complete for purposes of this section when it meets the
318 procedural submission requirements of the department and is sufficient for continued
319 processing even though additional information may be required or project modifications
320 may be undertaken subsequently. The determination of completeness shall not preclude
321 the department from requesting additional information or studies either at the time of
322 notice of completeness or subsequently if new or additional information is required or
323 substantial changes in the proposed action occur, as determined by the department.

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

- 326 1. Clearing and grading permits, K.C.C. 16.82.060.
327 2. Construction permits, K.C.C. 16.04.052.
328 3. Mobile home permits, K.C.C. 16.04.093.
329 4. Subdivision applications, short subdivision applications and binding site plan
330 applications, K.C.C. 19A.08.150.

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

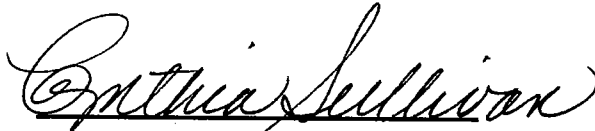
334 ~~(D.)~~ E. The applicant shall attest by written oath to the accuracy of all
335 information submitted for an application.

336 (~~E.~~) F. Applications shall be accompanied by the payment of the applicable
337 filing fees, if any, as established by K.C.C. Title 27.
338

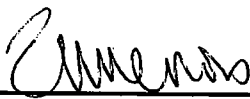
Ordinance 14507 was introduced on 3/25/2002 and passed by the Metropolitan King
County Council on 10/28/2002, by the following vote:

Yes: 11 - Ms. Sullivan, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr.
Phillips, Mr. Constantine, Mr. Pullen, Mr. Gossett, Ms. Hague, Mr. Irons and
Ms. Patterson
No: 0
Excused: 2 - Mr. Pelz and Mr. McKenna

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Cynthia Sullivan, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 6 day of November, 2002.



Ron Sims, County Executive

RECEIVED
2002 NOV -6 PM 2:18
CLERK
KING COUNTY COUNCIL

Attachments None