



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**August 31, 2004**

**Ordinance 14989**

**Proposed No.** 2004-0409.1

**Sponsors** Edmonds

1 AN ORDINANCE relating to the continuation of the board  
2 of health; adding new sections to K.C.C. chapter 2.35 and  
3 repealing Ordinance 13872, Section 2, Ordinance 13872,  
4 Section 3, Ordinance 13872, Section 4, and Ordinance  
5 13257, Section 19, and declaring an emergency.

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8 **STATEMENT OF FACTS:**

- 9 1. RCW 70.05.035, which was effective on January 1, 1996, requires that  
10 the county legislative authority establish a local board of health with  
11 jurisdiction coextensive with the boundaries of the county. It also  
12 provides that the legislative authority may prescribe the membership of  
13 and the selection process for the board.
- 14 2. To comply with the law and ensure the maximum extent of  
15 coordination of public health programs between the county and the cities  
16 in the county, the council adopted Ordinance 12098 in December 1995.  
17 Ordinance 12098 amended Ordinance 11178, which had been adopted in

18 1993 and had designated the county legislative authority as the local board  
19 of health. Ordinance 12098 created a twenty-two-member, federated King  
20 County board of health with countywide jurisdiction and also readopted  
21 and ratified existing rules and regulations of the former board of health of  
22 the city of Seattle, pending amendment or repeal by the newly created  
23 King County board of health.

24 3. In recognition that further discussions and analysis of the appropriate  
25 structure for public health governance would be necessary, the council  
26 placed an expiration clause in Ordinance 12098 so that the ordinance  
27 would expire on December 31, 1996. Ordinance 12526 extended the  
28 expiration date to June 30, 1998. Ordinance 13218 extended the  
29 expiration date to June 30, 2000. Ordinance 13218, adopted in June 1998,  
30 also reduced the size of the board from twenty-two to thirteen voting  
31 members, and repealed Ordinance 11178, Sections 1, 2 and 3. Ordinance  
32 12098, Section 1, Section 2.1 through 5, Section 5 and Section 6 and  
33 Ordinance 12526 in its entirety. Ordinance 13872 extended the expiration  
34 date to June 30, 2004.

35 4. The council now finds that sufficient progress has been made in the  
36 process of amendment or repeal of rules and regulations of the former  
37 board of health of the city of Seattle. The council is also satisfied that the  
38 board of health is fulfilling its statutory duties and responsibilities under  
39 state and local law.

40 5. Due to administrative error, Ordinance 13218, as amended by  
41 Ordinance 13872, expired on June 30, 2004. It is the intent of the council  
42 that the King County board of health continue as previously constituted,  
43 including that the current membership of the board of health consist of the  
44 members of the board of health as of June 29, 2004, as if the  
45 administrative error had not occurred. An emergency exists because until  
46 this ordinance takes effect, the board of health cannot take action,  
47 including the establishment of fee schedules as provided in RCW  
48 70.05.060 that support county government and its existing public  
49 institutions.

50 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

51 NEW SECTION. SECTION 1. There is hereby added to K.C.C. chapter 2.35 a  
52 new section to read as follows:

53 **Created.** There is hereby created the King County board of health, as authorized  
54 by RCW 70.05.035.

55 SECTION 2. The membership of the board of health shall as of the effective date  
56 of this ordinance consist of the members of the board of health as of June 29, 2004. The  
57 members of the board of health shall thenceforth be appointed as set forth in section 3 of  
58 this ordinance.

59 NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 2.35 a  
60 new section to read as follows:

61 **Membership.**

62 A. The King County board of health shall consist of the following members:

63           1. Six members of the metropolitan King County council to be appointed by the  
64 chair of the council, provided that the chair shall consider appointing members who  
65 represent districts in which a significant proportion of the population resides in  
66 unincorporated areas;

67           2. Three elected officials of the city of Seattle to be appointed by the city;

68           3. Two elected officials from cities of King County other than Seattle to be  
69 appointed by the executive from nominations submitted by those cities, individually or  
70 jointly; and

71           4. Two health professionals who shall be appointed by the other members of the  
72 board of health. One of the health professionals should have knowledge of  
73 environmental health, including knowledge of septic systems and groundwater quality. A  
74 third nonvoting member, who shall also be a health professional, may be appointed by the  
75 other members of the board. These members shall be from diverse backgrounds such as,  
76 for example, community health clinics, traditional medical practice and alternative  
77 medicine or naturopathy. The terms of health professional members shall be established  
78 by the rules of the board.

79           B.1. Each official or authority appointing elected officials to the board under  
80 subsection A.1, 2 and 3 of this section also may appoint one alternate elected official for  
81 each of its regular members in accordance with the procedures established by such  
82 authority. Such appointments shall be announced at the beginning of each meeting by a  
83 person authorized by the appointing official or authority and shall be duly noted in the  
84 minutes.

85           2. If the board appoints a third nonvoting health professional member as  
86 provided under subsection A.4 of this section, that member shall serve as an alternate for  
87 the two voting health professional members.

88           NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 2.35 a  
89 new section to read as follows:

90           **Administration.** In accordance with chapters 70.05 and 70.08 RCW, the local  
91 board of health shall designate the administrative officer of the board.

92           NEW SECTION. SECTION 5. There is hereby added to K.C.C. chapter 2.35 a  
93 new section to read as follows:

94           **Meetings.** The time of regular meetings of the King County board of health shall  
95 be established by the rules of the board.

96           NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 2.35 a  
97 new section to read as follows:

98           **Budgetary authority.** Nothing in this chapter shall be construed to reduce or  
99 limit the budgetary authority or responsibility of the metropolitan King County council.  
100 Any program initiatives undertaken pursuant to this measure which require funding  
101 support utilizing county budget resources shall be subject to the budgetary process  
102 established by the county council. The city of Seattle will, in accordance with an  
103 interlocal agreement between the county and the city, exercise policy and expenditure  
104 control over its financial contribution to the health department over and above the city of  
105 Seattle motor vehicle excise tax dollars contributed according to state law.

106           NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 2.35 a  
107 new section to read as follows:

108           **Travel expenses.** Members of the board of health who are not full-time elected  
109 officials may be reimbursed for mileage and parking expenses between the member's  
110 workplace or residence and the location of the board of health meeting. Members may  
111 also be reimbursed for travel expenses, including lodging, meals and incidentals per diem  
112 and transportation, at the rates established for county employees in K.C.C. 3.24, when  
113 traveling on official board of health business.

114           SECTION 8. Ordinance 13872, Section 2, Ordinance 13872, Section 3,  
115 Ordinance 13872, Section 4 and Ordinance 13257, Section 19 are each hereby repealed.

116           SECTION 9. The county council finds as a fact and declares that an emergency  
117 exists and that this ordinance is necessary for the immediate preservation of public peace,

**Ordinance 14989**

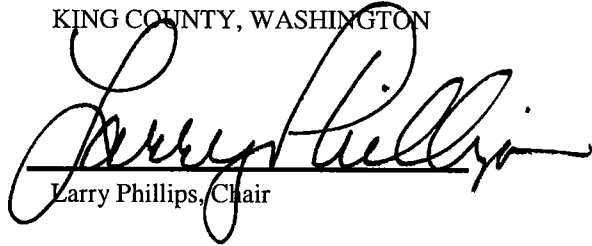
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118 health or safety or for the support of county government and its existing public  
119 institutions.  
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Ordinance 14989 was introduced on 8/30/2004 and passed by the Metropolitan King County Council on 8/30/2004, by the following vote:

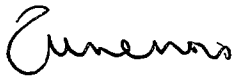
Yes: 12 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Mr. Pelz, Mr. McKenna, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine  
No: 0  
Excused: 1 - Ms. Lambert

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 2 day of September, 2004.



Ron Sims, County Executive

**Attachments**      None

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2004 SEP -3 PM 1:39  
CLERK  
KING COUNTY COUNCIL