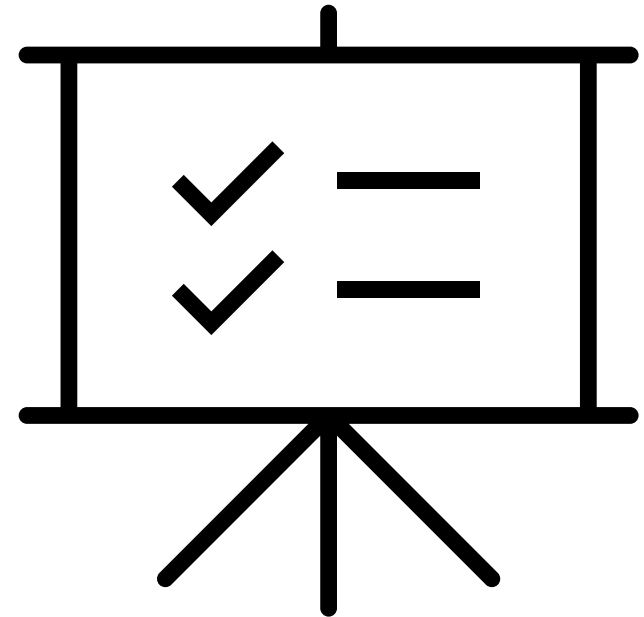


BOH Code Changes: Part 3

Today's Agenda

- Summary of Code Changes
 - Title 1 (General Provisions)
- Stakeholder Outreach Update
- Feedback/Questions



Code Changes Presentation Schedule

- Title 2, Health & Safety
 - Title 3, Public Services
- 

June

- Title 2, Health & Safety
 - Food Safety
 - Title 4, Water
 - Swimming Pools
 - Drinking Water
 - Title 5, Wastewater
- 

July

- Title 1, General Provisions

August

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
<p>Ch.1.05 General Provisions</p> <ul style="list-style-type: none"> Formerly titled “Applicability and Definitions” New name for this chapter is still undergoing review. 	<p>1.05.015 Public Nuisance</p> <ul style="list-style-type: none"> New section, relocated from Title 2. 	<ul style="list-style-type: none"> This will allow public nuisances to apply to the entire Code and not specific titles or chapters.
	<p>1.05.020 Definitions</p> <ul style="list-style-type: none"> Added new definitions and updated existing ones. 	<ul style="list-style-type: none"> New definitions are common and important terms that appear throughout the entire Code.
	<p>1.05.030 Enforcement</p> <ul style="list-style-type: none"> Removed assessment of consultant and attorney’s fees. 	<ul style="list-style-type: none"> This is no longer needed as we are now represented by the Prosecuting Attorney’s office.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Ch.1.05 <i>General Provisions</i> (continued)	1.05.050 <i>Fee Schedules</i> <ul style="list-style-type: none">• Fee schedules will be inserted into the Code upon BOH approval.• Updated language identifying how fees are established, updated, and communicated to the public.	<ul style="list-style-type: none">• Previous Code referenced fee schedules but never codified them.• To clearly communicate the fee schedule adoption process to users of the Code.
	1.05.060 <i>Service of Notices</i> <ul style="list-style-type: none">• Updated and expanded on existing language.	<ul style="list-style-type: none">• Provided clarification on when service of notices are deemed effective when issued via mail.• Consistent with other sections of Snohomish County Code (SCC).

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Ch.1.05 <i>General Provisions</i> (continued)	1.05.080 <i>Inspections and Right of Entry</i> <ul style="list-style-type: none">Updated and expanded on existing language.	<ul style="list-style-type: none">Addressed previous Code's conflict with constitutional constraints regarding unlawful search.To clearly lay out health department employees' conduct during inspections.
	1.05.090 <i>Jurisdiction</i> <ul style="list-style-type: none">Created new section.	<ul style="list-style-type: none">Jurisdiction section makes it clear that we are still the regulatory authority for not only Snohomish County but the ~20 towns/cities within.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Ch. 1.10 <i>Administration</i>	<ul style="list-style-type: none">• Temporary removal of entire chapter.	<ul style="list-style-type: none">• The BOH will draft its own administrative chapter.• Advisory Council Code is no longer consistent with current SCC and applicable RCW's.
Ch. 1.15 <i>Conduct of Hearings</i>	<ul style="list-style-type: none">• Removal of entire chapter.	<ul style="list-style-type: none">• Chapter no longer needed as we will now use the county's hearing examiner and their established procedures.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Ch.1.20 <i>Right of Appeals</i>	1.20.020 - 030 <ul style="list-style-type: none">Revised existing language.	<ul style="list-style-type: none">To provide clarity on what actions can be appealed and who can appeal the listed actions.
	1.20.040 <i>Pre-Appeal Conference Recommended</i> <ul style="list-style-type: none">Revised existing Code and added new language.	<ul style="list-style-type: none">To explain and clarify how this process interacts with Step One appeal deadlines and procedures.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Ch.1.20 <i>Right of Appeals (continued)</i>	1.20.050 <i>Appeal Procedure – General Information</i> <ul style="list-style-type: none">• Added in language to address the effect of the appeal.• Relocated appellant deadline for Step One Appeals.	<ul style="list-style-type: none">• To allow the Health Department’s decision to still be effective until the appeal has been resolved.• To provide a more suitable location (1.20.060, <i>Appeal Procedures – Step One</i>), as this deadline only applies to step one appeals and not appeals in general.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Ch.1.20 <i>Right of Appeals (continued)</i>	1.20.060 <i>Appeal Procedure – Step One</i> <ul style="list-style-type: none">• Created new subsections.• Inserted appellant deadline for step one appeals from 1.20.050.• Provided clarity on when the Department would issue a step one decision	<ul style="list-style-type: none">• New subsections clearly explain to the appellant how, where, and when to file a step one appeal.• The appellant deadline for filing a step one appeal is now in the step one procedures.• Previous Code only specified when the administrative review would be conducted by; and did not specify when a step one decision would be issued by the Department.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
<p>Ch.1.20 <i>Right of Appeals (continued)</i></p>	<p>1.20.070 <i>Appeal Procedure – Step Two</i></p> <ul style="list-style-type: none"> Removed most of existing code language. Referenced Hearing Examiner’s Code, where appropriate. Added language for <i>burden of proof</i> and <i>fees</i>. 	<ul style="list-style-type: none"> The county Hearing Examiner now oversees all step two appeals. The Hearing Examiner’s code (SCC 2.02) covers all step two appeals procedures, except: <i>appeal fees</i> and <i>burden of proof</i>. This has now been addressed.
	<p>1.20.080 <i>Appeal from Examiner’s Decision</i></p> <ul style="list-style-type: none"> Deleting the entire section 	<ul style="list-style-type: none"> The county Hearing Examiner’s code (as mentioned above) covers this. This section is no longer needed.

Code Changes: Title 1 (General Provisions)

CHAPTERS	PROPOSED CHANGES	REASONS FOR PROPOSED CHANGES
Public Records (Ch. 1.25)	<ul style="list-style-type: none">• Removal of the entire chapter.	<ul style="list-style-type: none">• Snohomish County Code (Ch. 2.51, <i>Public Records Disclosure</i>) applies to the entire county. The existing chapter is no longer needed.

Stakeholder Outreach Update

- Reached out to:
 - Master Builders Association
- Briefed:
 - Public Health Advisory Council (PHAC)
- Phase 2 outreach may include:
 - All stakeholders will be interested in Title 1.

Code Changes Presentation Schedule

- Title 2, Health & Safety
 - Food Safety
- Title 4, Water
 - Swimming Pools
 - Drinking Water
- Title 5, Wastewater

July

- Title 1, General Provisions

August

- Public Hearing / Action

September



Questions?

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PUBLIC HEALTH
always working for a safer & healthier
SNOHOMISH COUNTY