



**SNOHOMISH COUNTY BOARD OF HEALTH
AGENDA**

August 8, 2023

3:00 PM

Auditorium, 3020 Rucker Ave, Everett, WA 98201 or Remote;;
<https://us02web.zoom.us/j/87098263636>

-
- 1. Call to Order**
 - 2. Roll Call**
 - 3. Approval of Agenda Contents and Order**
 - 4. Approval of Minutes**
 - a. Approval of minutes of the regular meeting of July 11, 2023
 - 5. Public Comment**
 - 6. Action**
 - a. Proclamation Recognizing the Public Health Advisory Council (SR 23-015; D. Worsham)
 - 7. Briefings**
 - a. 2024 WA Legislative Priorities (SR 23-016; N. Thomsen)
 - b. Snohomish County Board of Health Code - Part 3 (SR 23-009C; R. Gray)
 - c. Board of Health Administrative Rules (SR 23-017; N. Thomsen)
 - d. Environmental Health Fee Schedules (23-018; R. Gray)
 - 8. Department Director's Report**
 - 9. Information Items**
 - a. Upcoming Meetings
 - 10. Adjournment**
-

Board of Health members:

Jared Mead, Megan Dunn, Heather Logan, Joseph Hund, Lisa George, Janet Anderberg, Desmond Skubi, Julie Smith-Hopkins

The public is invited to attend. Parking and meeting rooms are accessible for persons with disabilities. Questions or additional information about the board meeting may be obtained by contacting Sarah de Jong at 425.339.5210; Relay: 711; Email sarah.dejong@co.snohomish.wa.us. To request reasonable accommodations, please contact Ms. de Jong by the Friday prior to the board meeting. It's customary at each regular meeting of the full Board to include an assigned period for public comment from individuals present at the meeting. Generally, the public comment occurs near the beginning of the meeting and comments are limited to no more than three minutes per person. The Chair of the board may, as circumstances require at each meeting, reduce the time allotted to individuals or reduce the overall time assigned for public comments.



BOARD OF
HEALTH
STAFF
REPORT ()
AUGUST 8,
2023
APPROVAL
OF
MINUTES

Approval of minutes of the regular meeting of July 11, 2023

Division:

Office of the Director / Sarah de Jong

Prior Board Review:

None

ATTACHMENTS:

Description

- ▢ Draft Minutes

**Snohomish County Board of Health
Board of Health Minutes
July 11, 2023**

The meeting was held in the auditorium of the Rucker Building and via Zoom conference call/video.

Members Present via Zoom

Janet Anderberg (Virtual)
Megan Dunn, County Councilmember (In Person)
Lisa George (Virtual)
Heather Logan, Councilmember, Arlington (Virtual)
Jared Mead, County Councilmember (Virtual)
Desmond Skubi (In Person)
Julie Smith-Hopkins (Virtual)

Members Absent

Joseph Hund, Councilmember, Sultan
Lisa George

Comings and Goings

Janet Anderberg arrived at 3:16 pm

Call to Order

The regular meeting of the Board of Health was called to order using a hybrid setting at 3:00 p.m. by Ms. Megan Dunn.

Roll Call

Roll call was taken by Ms. Sarah de Jong who reported there was a quorum present.

Approval of Agenda Contents and Order

It was moved by Mr. Desmond Skubi and seconded by Ms. Heather Logan to approve the agenda contents and order. The motion passed unanimously.

Approval of Minutes

It was moved by Ms. Lisa George and seconded by Ms. Logan to approve the minutes of the regular meeting of June 13, 2023. The motion passed unanimously.

Public Comment

Chair Dunn opened the floor for public comment. No one from the public volunteered to speak and Chair Dunn closed public comment.

Briefings

Snohomish County Board of Health Code – Part 2 (SR 23-009B; R. Gray)

Ms. Ragina Gray updated the Board on the minor revisions of Titles 4 and 5 of the Board of Health code.

Public Health Fee Schedule (SR 23-012; R. Gray)

Ms. Gray provided a briefing on the background and concepts of the fee schedule.

Response to the Opioid Crisis (SR 23-013; J. Biermann)

Mr. Jason Biermann gave an update on the opioid crisis and the steps the County is taking to move forward with a holistic plan to address it.

Strengthening Public Health Policy (SR 23-014; J. Biermann)

Mr. Biermann gave a presentation on recommendations developed to strengthen public health during the first three years following the integration of the public health into Snohomish County government. Mr. Dennis Worsham also provided input on the processes on moving forward from here.

Health Officer's Report

Dr. James Lewis shared public health updates, including:

- Opioid epidemic
- COVID-19 update and long COVID
- Monkeypox rates
- Other communicable disease concerns, including an increase in STI cases, fungal meningitis outbreak in Mexico

Dr. Lewis also shared that the Community Health Assessment (CHA) has been completed with the following six health priorities identified by the data committee:

- Persons experiencing homelessness
- Opioid overdoses
- Inadequate prenatal care
- Mental health access and provider ratios
- Adverse Childhood Experiences (ACEs)
- Food security

Information Items

Follow up on community questions

Ms. Gray was happy to inform the Board that the previous public comment had come to a resolution that both sides were content with. The Board will decide in the future the type of follow up needed after public comment.

Upcoming Meetings

Ms. Dunn noted the date of the next Board of Health meeting.

Adjournment

The meeting was adjourned at 5:03 p.m.

Megan Dunn
Board of Health, Chair

Dennis Worsham, Director



BOARD
OF
HEALTH
STAFF
REPORT
(SR 23-015)
AUGUST 8,
2023
ACTION

Proclamation Recognizing the Public Health Advisory Council (SR 23-015; D. Worsham)

Division:

Office of the Director / Nicole Thomsen, Public Affairs & Policy Manager

Prior Board Review:

None

ATTACHMENTS:

Description

- Proclamation 23-01

SNOHOMISH HEALTH DISTRICT
PROCLAMATION OF THE BOARD OF HEALTH

PROCLAMATION NUMBER: 23-01

PROCLAMATION SUBJECT: RECOGNITION OF SERVICE

WHEREAS, the Snohomish Health District established a Public Health Advisory Council (PHAC) in 2009; and

WHEREAS, the PHAC provides periodic advice to the Health Department and to the Board of Health and to make recommendations relevant to improving the health of the residents of Snohomish County; and

WHEREAS, more than fifty community leaders and members have served on the PHAC; and

WHEREAS, the members consistently participated, engaged, and shaped public health policy; and

WHEREAS, the PHAC was instrumental in shaping and creating rules and regulations relating to smoking and vaping in public places; and

WHEREAS, members participated and were influential in advancing community health assessments; and

WHEREAS, our community voices are often first to identify emerging health issues; and

WHEREAS, public health action, together with community leadership and participation, has played a major role in shaping the health of county residents;

NOW, THEREFORE, BE IT RESOLVED, that the Snohomish County Board of Health recognizes and thanks the Public Health Advisory Council for its fourteen years of dedicated and continuous years of service to promoting and protecting the health of Snohomish County residents, and to its ongoing contributions to the Snohomish County Health Department.

ADOPTED this 8th day of August 2023.

ATTEST:

Megan Dunn, Chair
Board of Health

Dennis Worsham
Director, Health Department



**BOARD OF
HEALTH
STAFF
REPORT
(23-016)
AUGUST 8,
2023
BRIEFINGS**

2024 WA Legislative Priorities (SR 23-016; N. Thomsen)

Division:

Office of the Director / Nicole Thomsen, Public Affairs & Policy Manager

Prior Board Review:

None

Background

The 2024 Washington State Legislative session will begin a short session in January 2024. In preparation for the legislative session, the board has an opportunity to approve a legislative agenda in alignment with our values and priorities. Unlike in years past, as a county department, board priorities will be considered for placement in county priorities as well.

In past years, county public health priorities have informally followed the Washington State Association of Local Public Health Officials (WSALPHO) legislative agenda with the board of health adopting resolutions in support of specific legislative actions. WSALPHO and the Washington State Department of Health priorities have not been drafted yet.

Successes in the 2023 WA Legislative session include:

- Sustainable investments in Foundational Public Health Services (FPHS)
- Funding for a pilot STI/HIV clinic in Snohomish County
- Passage of key healthcare system stabilization, including a nursing compact
- Passage of several whole body care policies (hearing devices and dental therapists)

Conversations have begun with County legislative policy advisors, the Public Health Advisory Council, Community Equity Advisory Board, and staff on 2024 priorities. In initial staff conversations, the following items are proposed for consideration:

- FPHS: Maintain current levels; limits on supplantation
- Allow emergency medical service providers to support public health efforts outside of a declared emergency
- Investments in environmental quality for the protection of human health such as water quality and shellfish harvesting
- Equitable access to healthcare coverage for Compact of Free Association Islanders
- Investments in workforce development and retention
- Climate and human health connections

- Investment in public health informatics and assessment

Questions for Board of Health consideration:

- What legislative policies are you hearing about that have potential public health impact?
- What changes to the legislative priorities would you like to see?

Once approved, legislative priorities will be shared with the county, cities, community partners, and our state legislators.

Board Authority

RCW 70.05.060 – Powers and duties of local board of health and Snohomish County Code Chapter 2.300

Recommended Motion

No action, briefing only

ATTACHMENTS:

Description

- ▯ 2023 Snohomish Health District WA Legislative Priorities

Funding Priorities



Foundational Public Health Services

Sustain the increase in funding to fully implement the set of public health capabilities that were adopted in HB 1497 (2019) and approved in the FY21-23 budget. COVID-19 has shown and exacerbated the current system's deficits and local public health is working to use investments made by the legislature last year for current and future planning. This continues a phased approach to fully funding core public health services and infrastructure. *The Snohomish Health District supports federal and state efforts toward fully funding FPHS, with continued investments at the local level to fund existing and additional important services.*

Policy Priorities



Workforce Recruitment, Development and Retention

The public health system, across all disciplines, is experiencing a large number of staff exiting the profession alongside a decrease of qualified professionals. In support of innovative and consistent delivery of foundational public health services, such as informatics, our workforce must meet these challenges. *The Snohomish Health District supports the development, implementation and funding of public health workforce development and retention system.*



Environment and Health

There is an on-going connection between our environment and impacts to human health. Examples include water quality and shellfish, climate and excessive heat, wildfires, and poor air quality. *The Snohomish Health District supports legislation improving the quality of and addressing health impacts of our environments to achieve improved population health outcomes.*



Health Systems

Healthy communities happen with robust and coordinated public health and health care systems. Snohomish County health care and long-term care systems are operating in crisis mode. *The Snohomish Health District supports federal and state efforts to reshape, sustain, and advance an equitable, resilient health care system, including mobile services and addressing barriers to long-term care.*



Despair and Health

The linkages between diseases of despair such as substance abuse (alcohol, opioids and other drugs) and mental health are a well-researched determinant of health. Related health impacts are wide ranging and include communicable diseases, mental health, and behavioral health. *The Snohomish Health District supports legislation improving the understanding the linkages of despair and health and actively address the root causes to achieve improved population health outcomes.*

Policy Positions



Equity

Supports efforts to ensure equitable access to public health resources in alignment with the public health system's moral and legal responsibilities.



Vapor Products

Supports state and federal bans on the sale of flavored vapor products, increased funding for vape education and outreach, increased oversight on the manufacturing and sales of vapor products, and additional research on the health impacts of vaping and vapor products.



Access to Whole Body Care

Support policies and funding that ensures residents get coverage and access to the services and devices needed to improve health outcomes.



**BOARD OF
HEALTH
STAFF
REPORT
(SR 23-
009C)
AUGUST 8,
2023
BRIEFINGS**

Snohomish County Board of Health Code - Part 3 (SR 23-009C; R. Gray)

Division:

Office of the Director / Nicole Thomsen, Public Affairs & Policy Manager

Prior Board Review:

June 13, 2023; July 11, 2023

Background

RCW 70.05.070 requires the local board of health to enact local rules and regulations as are necessary in order to preserve, promote, and improve the public health and provide for the enforcement thereof.

Since June, staff have provided presentations on large sections of the Board of Health Code as the department works to establish a code for the newly formed Snohomish County Health Department.

Title 1 is the final section requiring review. It is the “code that governs all other code,” so to speak. Components include authority, board administration, enforcement, fees, and the official newspaper of record.

Board Authority

RCW 70.05.060 – Powers and duties of local board of health and Snohomish County Code Chapter 2.300

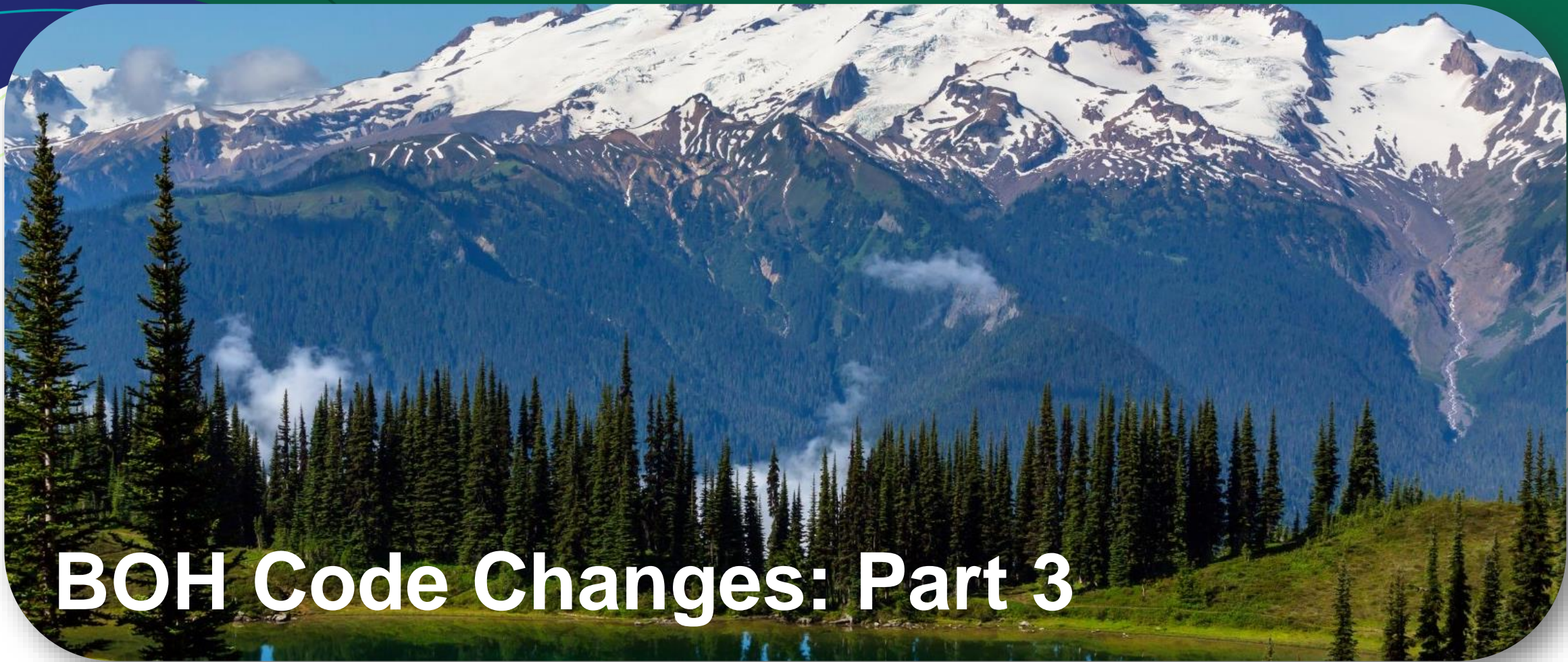
Recommended Motion

No action, briefing only.

ATTACHMENTS:

Description

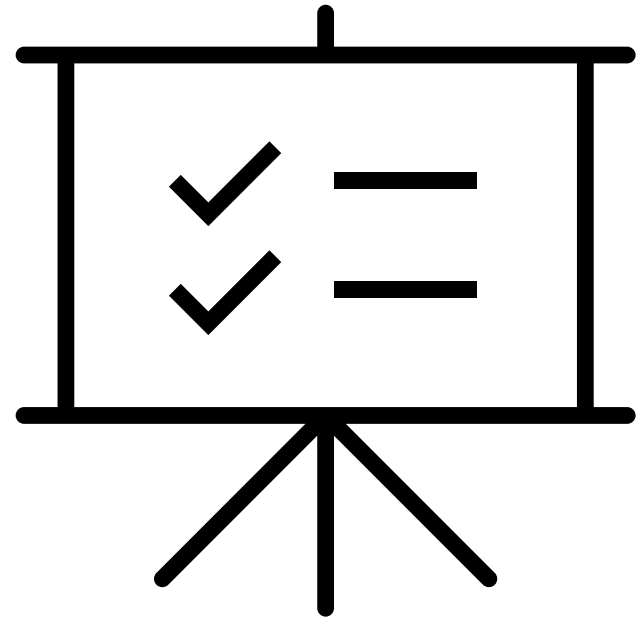
- ▣ Presentation Slide Deck
- ▣ Title 1 - Redlined



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 |
|---|---|---|
| Ch.1.05 General Provisions <ul style="list-style-type: none">Formerly titled “Applicability and Definitions”New name for this chapter is still undergoing review. | 1.05.015 Public Nuisance <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. |
| | 1.05.020 Definitions <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. |
| | 1.05.030 Enforcement <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 General Provisions (continued) | 1.05.050 Fee Schedules <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 Service of Notices <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 General Provisions (continued) | 1.05.080 Inspections and Right of Entry <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 Jurisdiction <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 |
|--|--|---|
| Ch.1.20 <i>Right of Appeals (continued)</i> | 1.20.070 <i>Appeal Procedure – Step Two</i> <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. |
| | 1.20.080 <i>Appeal from Examiner’s Decision</i> <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

- Title 1, General Provisions

- Public Hearing / Action

July

August

September



Questions?

Ragina Gray
Environmental Health Division Director
425-339-8769
ragina.gray@co.snohomish.wa.us

PUBLIC HEALTH
always working for a safer & healthier
SNOHOMISH COUNTY

Title 1

GENERAL PROVISIONS

Chapters:

- 1.03 Codification Guidelines
- 1.05 Applicability and Definitions
- ~~1.10 Administration (RESERVED)~~
- ~~1.15 Conduct of Hearings~~
- 1.20 Right of Appeals
- ~~1.25 Public Records~~
- 1.30 Official Newspaper of Record

Commented [A1]: Note: The header and footer of each page are being removed. The header and footer are something the Code Publishing Company generates. Footers reference when the code was last updated. That does not apply here since this is the first adoption of the Snohomish County BHC.

Commented [A2]: REASON FOR PROPOSED CHANGE: This entire chapter is being deleted for now until the Board drafts its own administrative chapter.

Commented [A3]:
REASON FOR PROPOSED CHANGE: This entire chapter is no longer needed as we now use Snohomish County's Hearing Examiner's Office for Step 2 appeal proceedings. Prior to this, the Health District had to obtain its own hearing examiner and this Chapter was used to cover these procedures.

Commented [A4]: REASON FOR PROPOSED CHANGE: There is no need to have a Chapter on public records since Chapter 2.51 of the Snohomish County Code (SCC) applies to the entire county.

Chapter 1.03

CODIFICATION GUIDELINES

Sections:

- 1.03.010 Editorial revisions in the code.
- 1.03.020 Official ~~department~~ district code.
- 1.03.030 Liberal construction.
- 1.03.040 Copies as proof of ordinances ~~or resolutions.~~
- 1.03.050 Adoption of new material.
- 1.03.060 Title and citation of code.
- 1.03.070 Purpose of catchlines.
- 1.03.080 Continuation of ordinances ~~or resolutions.~~
- 1.03.090 Reference applies to amendments.

- 1.03.010 Editorial revisions in the code.

~~Consistent with RCW 35.21.500, while~~ While under contract with the Snohomish Health District/County Health Department, Code Publishing Company is hereby authorized to make the

Commented [A5]: REASON FOR PROPOSED CHANGE: Title 35 Revised Code of Washington (RCW) applies to cities and towns only.

following changes while codifying, recodifying, and republishing current and future code adoptions by the Board of Health:

A. Editing ordinances ~~and/or resolutions~~ to the extent deemed necessary or desirable, for the purpose of modernizing and clarifying the language of such ordinances, ~~or resolutions~~, but without changing the meaning of any such ordinance, ~~or resolution~~.

Commented [A6]: REASON FOR PROPOSED CHANGE: All references to resolutions have been removed. Ordinances are the legislative tool for adopting code that is intended to be codified.

B. Substituting for the terms “this ordinance” ~~or “this resolution,”~~ where necessary, and the terms “section,” “part,” “code,” “chapter,” “title,” or reference to specific section or chapter numbers, as the case may require.

C. Correcting manifest errors in reference to other ordinances, ~~resolutions~~, laws, and statutes, and manifest spelling, clerical, or typographical errors, additions, or omissions.

D. Dividing long sections into two or more sections and rearranging the order of sections to ensure a logical arrangement of subject matter.

E. Changing the wording of section captions, if any, and providing captions to new chapters and sections.

F. Striking provisions manifestly obsolete and eliminating conflicts and inconsistencies so as to give effect to the legislative intent. ~~{Ord. 18-01 § 1}.~~

Commented [A7]: REASON FOR PROPOSED CHANGE: All references to old ordinances or resolutions are now deleted. This new code is the Snohomish County Board of Health Code, so references to Health District ordinances or resolutions are no longer applicable.

1.03.020 Official ~~district-department~~ code.

The codification of the ordinances ~~and resolutions~~ of the Snohomish County Board of Health ~~District~~ of a general, public, or permanent nature as contained and set forth in a printed copy thereof on file in the office of the Department ~~District~~ Administrator or Executive Assistant, Administration, entitled “Snohomish ~~Health-District~~ County Board of Health Code,” is adopted as the official code of the Department ~~District consistent with RCW 35.21.500 through 35.21.570 consistent with RCW 70.05.060.~~ ~~{Ord. 18-01 § 2}.~~

Commented [A8]: REASON FOR PROPOSED CHANGE: Revised to reflect the ordinances are adopted by the BOH not the Department.

1.03.030 Liberal construction.

All ~~regulations~~ ~~regulatory legislation~~ contained in the Snohomish ~~Health District~~ County Board of Health Code ~~is~~ are enacted as an exercise of the authority vested by law in the Board of Health to provide for, promote, protect, and preserve the public peace, health, safety, and welfare, and such ~~legislation~~ regulations shall be liberally construed for the accomplishment of said purposes. It is expressly the purpose of such ~~legislation~~ regulations to provide for and protect the general public health and welfare and not to create or otherwise establish or designate any particular class or group of persons who will, or should, be especially protected or benefited by the terms of such ~~legislation~~ regulations. No provision of, nor term used in, these rules and regulations is intended to impose any duty upon Snohomish County.

Nothing contained in any ~~regulatory legislation~~ regulations contained in the Snohomish County Board of Health Code of the District Department ~~is~~ are intended to be, nor shall be, construed to create or form the basis for any liability on the part of ~~the Snohomish County, Snohomish County Board of Health, or Snohomish County Health Department,~~ or its officers, employees, or agents for any injury or damage resulting from the failure of any member of the public to comply with applicable regulations, or from the failure of any facility, program, or policy ~~of the District Department~~ to comply with applicable code requirements, or by reason, or in consequence, of any plan check, inspection, notice, order, certificate, or approval issued in connection with the implementation or enforcement of ~~regulatory legislation~~ its regulations, or by reason of any action, or inaction, on the part of the County, Board, Department, or its officers, employees, or agents, in connection with the implementation, or enforcement, of ~~regulatory legislation~~ its regulations. ~~{Ord. 18-01 § 3}.~~

Commented [A9]: REASON FOR PROPOSED CHANGE:
This is not new code. This was relocated from Ch.4.25.010 so it can apply to the entire Code.

1.03.040 Copies as proof of ordinances ~~or resolutions.~~

Consistent with RCW [35.21.550](#), copies of such code in published form shall be received without further proof as the ordinances or resolutions of permanent and general effect of the Snohomish County Board of Health ~~District Department~~ by all courts and administrative tribunals of the state. ~~{Ord. 18-01 § 4}.~~

1 1.03.050 Adoption of new material.

2 New material shall be adopted by the Board of Health as separate ordinances ~~or resolutions~~
3 prior to the inclusion thereof in such codification; provided, that any ordinance ~~or resolution~~
4 amending the codification shall set forth in full the section or sections of the codification being
5 amended, and this shall constitute a sufficient compliance with any statutory requirement that
6 no ordinance ~~or resolution~~ nor any section thereof shall be revised or amended unless the new
7 ordinance ~~or resolution~~ sets forth the revised ordinance ~~or resolution~~ or amended section in
8 full. ~~{Ord. 18-01 § 5}.~~

Commented [A10]: REASON FOR PROPOSED CHANGE:
All references to resolutions have been removed.
Ordinances are the legislative tool for adopting code that is intended to be codified.

9 1.03.060 Title and citation of code.

10 The codification hereby adopted shall be known as the "Snohomish ~~Health District County~~
11 ~~Board of Health Code~~" or "Health Code" and may be cited as such. ~~The titles, chapters, and~~
12 ~~sections as set forth in the codification hereby adopted shall be, and they are, declared to be~~
13 ~~the titles, chapters, and sections by which the provisions of the Snohomish Health District~~
14 ~~County Board of Health Code may be designated and cited. {Ord. 18-01 § 6}.~~

Commented [A11]: REASON FOR PROPOSED CHANGE:
Added "Health Code" so full reference is not required every time to reference the code. The last sentence is not necessary and does not add any value.

15 1.03.070 Purpose of catchlines.

16 The catchlines appearing in connection with the titles, chapters and sections of the Snohomish
17 ~~Health District County Board of Health~~ Code are inserted as a matter of convenience, and they
18 shall be wholly disregarded by any person, officer, court, or other tribunal in construing the
19 terms and provisions of the Snohomish ~~Health District County Board of Health~~ Code. ~~{Ord. 18-~~
20 ~~01 § 7}.~~

21 1.03.080 Continuation of ordinances or resolutions.

22 ~~The Newly enacted~~ provisions of the Snohomish ~~Health District County Board of Health~~ Code,
23 ~~insofar so far~~ as they are substantially the same as ~~existing provisions ordinances and~~
24 ~~resolutions heretofore adopted by the Board of Health of the Snohomish County Board of~~

Commented [A12]: REASON FOR PROPOSED CHANGE:
Revised this section because it was circular and did not accomplish the intent expressed in RCW 1.12.020, which it is based on.

Health Code, shall be construed as continuations thereof ~~and not as new enactments. {Ord. 18-01 § 8}~~.

1.03.090 Reference applies to amendments.

Whenever a reference is made to any portion of the Snohomish ~~Health District County Board of Health~~ Code, or to any ordinances or resolutions of the ~~Board of Health District Department~~, such reference shall apply to all amendments and additions now or hereafter made. ~~{Ord. 18-01 § 9}~~.

Chapter 1.05

~~APPLICABILITY AND DEFINITIONS~~ GENERAL PROVISIONS

Commented [A13]: The proposed name for this Chapter is still undergoing review.

Sections:

1.05.010 Authority, purpose, title and applicability.

1.05.015 Public nuisance.

1.05.020 Definitions.

1.05.030 Enforcement.

1.05.040 Permits.

1.05.050 ~~Fee schedules.~~

1.05.060 Serving of notices.

1.05.065 Interference with notices.

1.05.070 ~~Special provisions~~ Supplemental to other regulations.

1.05.080 Inspections and right of entry.

1.05.090 Jurisdiction

1.05.010 Authority, purpose, ~~title~~ and applicability.

Under the authority of Chapter 70.05 RCW, the rules and regulations contained herein shall be known as the Snohomish County Board of Health Code or Health Code. The purpose of the

Commented [A14]: REASON FOR PROPOSED CHANGE: Updating language so it is clear chapter 1.05 applies to all titles of the SCBHC. The previous Code did not address applicability.

~~Snohomish County Board of Health Code is in order to preserve, promote and improve the public health and provide for enforcement as authorized under, and as set forth in RCW 70.05.060, the rules and regulations contained herein shall be known as the Sanitary Code of the Snohomish Health District Board of Health. The provisions of Title 1, General Provisions, are applicable to the entire Snohomish County Board of Health Code. [Res. 93-32, Eff. 11/09/93. Prior code § 1.1].~~

1.05.015 Public nuisance.

All violations of Health Code are determined to be detrimental to the public health, safety, and welfare and are hereby declared to be public nuisances. All conditions which are determined by the Health Officer to be in violation of any rules and regulations shall be subject to the provisions of the Health Code and shall be corrected by any reasonable and lawful means.

Public nuisances shall include, but are not limited to the following:

A. Polluting of the groundwater, any water supply, or any body of water with sewage, or any solid or liquid waste harmful to humans.

B. Sale or distribution of any food which is decayed, contaminated, adulterated, or found to be otherwise unsafe for human consumption.

C. Accumulation or disposal of solid waste, toxic waste, garbage, or animal manure in any manner not in accordance with the Snohomish County Board of Health Code.

D. Disposal of human sewage or sewage effluent in any manner not in accordance with the Snohomish County Board of Health Code; or the use of human sewage for fertilizing purposes for crops, gardens, or lawns.

E. Harboring animals in such a manner as to pose a threat of transmitting infectious disease to the public or to otherwise present a danger to the public health.

F. Maintaining for common use any drinking cup, utensils, dishware, containers, towels, cloths, clothing or bedding which is not cleaned and sanitized between individual usage.

Commented [A15]: REASON FOR PROPOSED CHANGE:
Public Nuisance language relocated from Title 2. This will allow public nuisances to apply to the entire Code and not specific titles or chapters.

G. The presence of smoke, fumes, chemicals, dusts or other like substances in an enclosed public place in a manner which endangers the public health or is in violation of any specific requirements of the Sanitary Board of Health Code.

H. Activities which result in the gathering or infestation of disease carrying vectors to such an extent as to pose a threat to the public health.

1.05.020 Definitions.

"Aggrieved Person" means a person whose interests are, or will likely be, specifically and perceptibly harmed by a requirement, permit, order, or decision made by the health officer or representative, and where a decision in favor of that person would substantially eliminate the harm caused, or likely to be caused, by the requirement, permit, order, or decision.

"Board of Health" means the Snohomish County Board of Health as defined in RCW 70.05.035. ~~Board of Health of the Snohomish Health District as defined in RCW 70.05.010.~~

"Board of Health Code" or "Code" or "Snohomish County Board of Health Code (SCBHC)" or "Health Code" shall mean and comprise the rules and regulations now formulated, promulgated, adopted, and subsequently amended by the Snohomish County Board of Health.

"Director" means the director of the Snohomish County Health Department or representative.

"Health Department" or "Department" means the Snohomish County Health Department (SCHD).

"Health Officer" means the Health Officer of the Snohomish County Health Department, as defined in RCW 70.05.010, or representative. ~~means the Health Officer of the Snohomish Health District, as defined in RCW 70.05.010, appointed by the Board of Health in accordance with RCW 70.05.050.~~

Commented [A16]: REASON FOR PROPOSED CHANGE:
New definitions are common and important terms that appear throughout the entire Code.

Commented [A17]: REASON FOR PROPOSED CHANGE:
Consistent with due process, if a person qualifies as an "aggrieved person," they should have a right to contest an adverse government action and seek redress in a court of law.

Commented [A18]: This definition is now consistent with the definition in [SCC 2.300.020](#)

1 "Hearing Examiner or "Examiner" means the hearing examiner or a deputy hearing examiner or
 2 pro tem hearing examiner appointed in accordance with chapter 2.02 of the Snohomish County
 3 Code (SCC).

Commented [A19]: Definition taken from Snohomish County Code ([SCC 30.91H.100](#))

4 "Nuisance" means unlawfully doing an act, or omitting to perform a duty, which act or omission
 5 either annoys, injures or endangers the comfort, repose, health or safety of others, offends
 6 decency, or unlawfully interferes with, obstructs or tends to obstruct, or render dangerous for
 7 passage, any lake or navigable river, bay, stream, canal or basin, or any public park, square,
 8 street or highway; or in any way renders other persons insecure in life, or in the use of
 9 property.

Commented [A20]: REASON FOR PROPOSED CHANGE:
 Definition is consistent with [RCW 7.48.120](#). NOTE: This is also the definition that is used by [King County](#), [Whatcom](#), and [Pierce](#).

10 "Permit" means a specific written authorization issued by the Health Officer for the
 11 performance, operation, use or repair of a function regulated by this Code.

12 "Person" means an individual, partnership, corporation, association, organization, cooperative,
 13 public or municipal corporation, or agency of the state or local governmental unit, or an agent
 14 or representative thereof.~~firm, corporation or association.~~

Commented [A21]: Definition is now consistent with [Snohomish County Code](#).

15 "Public Nuisance" means that which is set up, maintained or continued so as to be injurious to
 16 the health, or an obstruction to the use of property by interfering with the health, safety, or life
 17 of any considerable number of persons.

Commented [A22]: New definition added (relocated from Ch. 2.05.020). This definition comes from [WAC 246-203](#), General Sanitation

18 "Snohomish County Code" or "SCC" means the official code of Snohomish County as adopted
 19 and amended by the Snohomish County Council.

20 "Snohomish Health District" means all the territory encompassed within Snohomish County,
 21 including all of the cities and towns, as defined in RCW 70.05.010. [Res. 93-32, Eff. 11/09/93.
 22 Prior code § 1.2].

23 **1.05.030 Enforcement.**

24 This ~~Sanitary Board of Health~~ Code shall be enforced by the Health Officer or authorized
 25 representative throughout ~~the Snohomish County Health District~~ in accordance with the
 26 provisions of RCW [70.05.070](#). When enforcement of this code necessitates the issuance of a
 27 Health Officer's order, all costs incurred for enforcement of that Health Officer's order shall be

Commented [A23]: REASON FOR PROPOSED CHANGE:
 Removed the consultant and attorney's fees language as we are now represented by the Prosecuting Attorney's office.

The Snohomish County Board of Health District Code is current through Resolution 22-34, passed December 29, 2022.

1 assessed against the person ~~or entity~~ who remains in noncompliance with the Health Officer's
2 order. Costs shall include the cost of additional inspection to determine compliance or
3 noncompliance with the Health Officer's order. ~~consultant fees incurred relative to that Health~~
4 ~~Officer's order, and attorney fees and costs associated with the enforcement of that Health~~
5 ~~Officer's order. [Res. 93-32, Eff. 11/09/93. Prior code § 1.3].~~

6 **1.05.040 Permits.**

7 A. All applications for permits or written approval ~~herein required~~ shall be made upon forms
8 prescribed and furnished by the ~~Health Department District~~, and shall be signed by the applicant
9 or authorized agent of the person responsible for compliance with the conditions of the permit.
10 ~~Such The~~ application shall contain ~~such the~~ data, ~~and~~ information, ~~and be accompanied by such~~
11 ~~plans as may be required~~ for review of the application by the Department.

12 B. A permit or written approval issued to a particular person or for a designated place,
13 purpose, or vehicle shall not be valid for use by any other person or for any other place,
14 purpose, or vehicle than that designated therein. ~~Such P~~ permits ~~or and~~ written approvals may
15 contain general and specific conditions and every person who ~~shall have~~ has obtained a permit
16 or written approval ~~as herein required~~ shall conform to the conditions prescribed in said permit
17 or written approval and to the provisions of the Sanitary Board of Health Code. ~~Every such~~
18 ~~P permits and written approvals~~ shall expire ~~as stated on the permit according to their written~~
19 ~~terms and are subject to renewal, suspension for cause, or revocation by the Health Officer and~~
20 ~~may be renewed by the Health Officer, suspended for cause by the Health Officer, or revoked~~
21 ~~by the Health Officer after due notice and process.~~

22 C. The ~~Snohomish Health District County Health Department~~ may deny an application for
23 permit, permit renewal or written approval if the applicant has outstanding monies owed to the
24 Snohomish County Health Department ~~Health District~~ for permit fees, reinspection fees, late
25 fees, checks returned by the bank, civil penalties, or other miscellaneous fees. ~~[Res. 10-05. Res.~~
26 ~~93-32, Eff. 11/09/93. Prior code § 1.4].~~

Commented [A24]: REASON FOR PROPOSED CHANGE:
Cleaned up existing language.

1.05.050 Fees_schedules.

~~Fees for permits and other services provided for through the enactment of the provisions of this Sanitary Code shall be as set forth by the Board of Health in the fee schedule. Such fees shall be set initially by the Board, and shall be subject to revision commensurate with the cost of delivering the service, and the changing nature and complexity of the subject regulation. All fees collected under the provisions of this Sanitary Code shall be payable to the Snohomish Health District. [Res. 93-32, Eff. 11/09/93. Prior code § 1.5].~~

(1) The board shall, in accordance with RCW 70.05.060, establish fee schedules for issuing or renewing licenses or permits or for such other services as are authorized by the law and the rules of the state board of health. The fee schedules shall not exceed the actual cost of providing any such services, which may include the cost of building fund reserves in accordance with any applicable county fund reserve policies.

(2) The director of the Snohomish County health department shall annually review whether the fee schedules need to be adjusted to reflect the projected subsequent year costs of providing services, taking into account the budget adopted by the county council.

(3) The director shall post the fee schedules for the subsequent year for inspection copying by the public, including posting the fee schedules on the Internet, by no later than December 31.

1.05.060 Serving Service of notices.

Any notice, decision, determination, or order required to be served on a person, owner, agent or occupant of a premises shall be deemed to have been served under any of the following conditions:

A. Such notice, decision, determination, or order is delivered to such person by hand of any authorized agent of the Health Officer or any officer of the law.

B. Such notice, decision, determination, or order is mailed by registered or certified mail to the owner, or representative of the owner, or the last known occupant of the premises. Service by

Commented [A25]: REASON FOR PROPOSED CHANGES:
Provided clarity that fees can only be established by the BOH. **Note:** Subsections A-F are reserved for fee schedules that will be inserted upon approval by the BOH via separate ordinance.

Commented [A26R25]: Added new sections.

Commented [A27]: REASON FOR PROPOSED CHANGE:
Addresses when service is deemed effective when issued via mail. This is now consistent with other county agencies.

mail shall be presumed effective upon the third business day following the day upon which notice, decision, determination, or order was placed in the mail.

C. Such notice, decision, determination, or order, properly signed, is posted by an authorized agent of the Health Officer or any officer of the law, upon any portion of such premises visible from a public place, whenever the owner or agent of the property's whereabouts is unknown. ~~[Res. 93-32, Eff. 11/09/93. Prior code § 1.6].~~

1.05.065 Interference with notices.

No person shall remove, mutilate, or conceal any notice, decision, determination, order, or placard of the Health ~~District~~ Department posted in or on any premises or public place except by permission of the Health Officer or authorized representative. ~~[Res. 93-32, Eff. 11/09/93. Prior code § 1.6.1].~~

1.05.070 ~~Special provisions~~ Supplemental to other regulations.

The regulations of this code shall be supplemental to the regulations, rules and orders of the State Board of Health, ~~Public Health Law, Penal Law,~~ and other Washington State laws relating to public health and shall, as to matters to which it refers, and within the jurisdiction heretofore prescribed, supersede all prior rules and regulations of the Board of Health and all local ordinances heretofore or hereafter enacted inconsistent herewith. In the event of a conflict between this Code and any other local or state regulations, the more stringent shall apply. ~~[Res. 93-32, Eff. 11/09/93. Prior code § 1.7].~~

1.05.080 Inspections and right of entry.

A. Inspections. All premises ~~covered by this~~ subject to the Board of Health ~~Code~~ shall be subject to the inspection of the Health Officer or authorized representative and, if any violation of the ~~Sanitary Board of Health~~ Code exists on the premises, any permit or approval granted by

Commented [A28]: REASON FOR PROPOSED CHANGE:
Cleaned up all conflicts with constitutional constraints regarding unlawful search. Clearly laid out health department employees' conduct during inspections.

the Health Officer may be suspended and/or revoked ~~forthwith unless otherwise prescribed in this code.~~

B. Right of Entry. The Health Officer or ~~his/her~~ duly authorized representative may enter any land, building, structure, or premises at reasonable times provided such entry is consistent with the constitutions and laws of the United States and State of Washington:

1. To make an inspection to enforce or determine compliance with this Code; and/or

2. When there is reasonable cause to believe that a violation of this Code has been or is being committed.

C. Conduct of Inspections. The ~~H~~health Officer or authorized representative may approach any land, building, structure, or premises, by a recognizable access route leading to said building or structure. If such land, building, structure, or premises, is occupied, the ~~H~~health Officer or authorized representative shall present identification credentials, state the reason for the inspection, and request entry. If such building, structure, or premises is unoccupied, the ~~inspector~~ Health Officer or authorized representative shall first make a reasonable effort to locate the owner or other persons having charge or control of the building, structure, or premises and ~~demand~~ request entry. If entry is refused, the Health Office or authorized representative has recourse to every remedy provided by law to secure entry.

D. Refusal of Inspections. No person shall refuse to allow the Health Officer or authorized representative to fully inspect any and all premises entered in the performance of duty, and no person shall molest, impact, or resist the Health Officer or authorized representative in the discharge of their duties. ~~If entry is refused, the Health Officer shall have recourse to the every remedies provided by law to secure entry, including, but not limited to, search warrants [Res. 93-32, Eff. 11/09/93. Prior code § 1.8].~~

1.05.090 Jurisdiction.

~~As provided in RCW 70.050.035(1)(h), The provisions of this Code shall be in force within the boundaries of Snohomish County including all cities and towns therein the jurisdiction of the Snohomish County Board of Health is coextensive with the boundaries of Snohomish County~~

Commented [A29]: REASON FOR PROPOSED CHANGE:
To make it clear that we have regulatory authority within the 20 cities/towns of Snohomish County. Before, when we were a health district, the definition of [health district](#) made that clear.

1 and the Board of Health Code applies to all territory within Snohomish County, including all
2 cities and towns therein.

Chapter 1.10

(RESERVED) ADMINISTRATION

Commented [A30]: REASON FOR PROPOSED CHANGE:
This entire chapter is being deleted for now until the Board drafts its own administrative chapter.

Sections:

1.10.005 ~~Board of hHealth monthly meeting time.~~

1.10.010 ~~Advisory cCouncil.~~

Code reviser's note: Articles II, III and IV of the Snohomish Health District Charter are adopted
into this chapter by reference.

1.10.005 ~~Board of hHealth monthly meeting time.~~

The Board of Health establishes the third Tuesday in January as its first regular meeting of the
year, to be held at 3:00 p.m. at the Snohomish Health District located at 3020 Rucker Avenue,
Everett, Washington.

The board will meet the second Tuesday of each month from February through December of
every year at the Snohomish Health District.

~~[Res. 19-27, Res. 17-02]. HBH~~

1.10.010 ~~Advisory Council.~~

A. ~~The Board of Health authorizes the Health District to create a Public Health Advisory
Council, to be appointed by the Chair of the Board of Health and approved by vote of the full
Board of Health.~~

~~B. The Board of Health authorizes the Health District to restructure the Public Health Advisory Council membership to 18 members in compliance with RCW 70.46.140(3).~~

~~C. Members of such Advisory Council shall serve at the pleasure of the Board of Health for staggered three year terms, may be reappointed, shall serve without compensation, and shall be selected to represent the following:~~

~~1. Business.~~

~~2. Community health centers.~~

~~3. Community Health Improvement Plan (CHIP).~~

~~4. Early childhood development.~~

~~5. Education.~~

~~6. Emergency management services.~~

~~7. Emergency medical services.~~

~~8. Environmental advocacy.~~

~~9. Food industry.~~

~~10. Higher education.~~

~~11. Hospitals.~~

~~12. Human services organization.~~

~~13. Labor.~~

~~14. Law enforcement.~~

~~15. Medical professionals.~~

~~16. Parks and recreation.~~

~~17. Philanthropy/funders.~~

~~18. Planning.~~

~~19. Senior services.~~~~20. Septic system specialists.~~~~21. Transportation.~~~~22. Tribes.~~~~23. Underrepresented community sectors.~~~~24. United Way.~~~~25. Water utilities.~~~~26. Youth.~~

~~D. The Advisory Council shall meet regularly to consider public health issues, shall consider the current strategic plan in its deliberations, and shall make recommendations regularly to the Board of Health relevant to improving the health of the citizens of Snohomish County.~~

~~E. Bylaws. The Snohomish County Board of Health approves the revised PHAC bylaws dated November 2021 in compliance with RCW 70.46.140. [Res. 21-23, Eff. 12/14/21. Res. 19-04. Res. 12-16. Res. 09-20].~~

Chapter 1.15

CONDUCT OF HEARINGS

Sections:

~~1.15.010 View trip.~~~~1.15.020 Format.~~~~1.15.030 Clerk.~~~~1.15.040 Parties of record.~~~~1.15.050 Rights of parties.~~~~1.15.060 Evidence.~~~~1.15.070 Further hearing.~~~~1.15.080 Termination of jurisdiction.~~

Commented [A31]: REASON FOR PROPOSED CHANGE:

This entire chapter is no longer needed as we now use Snohomish County's Hearing Examiner's Office for Step 2 appeal proceedings. Prior to this, the Health District had to obtain its own hearing examiner and this Chapter was used to cover these procedures.

~~1.15.090 — Case record.~~

~~1.15.100 — Examiner decision — Distribution.~~

~~1.15.110 — Maintenance of order during hearings.~~

~~1.15.120 — Disqualification of Examiner.~~

~~1.15.010 — View trip.~~

~~A. — When necessary to a full understanding of the case, the Hearing Examiner may inspect the site prior to or subsequent to the hearing. Failure to inspect the site will not render the Examiner's decision void.~~

~~B. — When a view trip has been taken, the Examiner will so state both at the hearing and in the written decision.~~

~~C. — The view trip will be taken out of the presence of any interested party whenever feasible. When accompaniment by an interested party is necessary to fully view the property, no substantive discussion will occur during the view trip. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.1].~~

~~1.15.020 — Format.~~

~~A. — The format for a public hearing will be of an informal nature yet designed in such a way that the evidence and facts relevant to a particular proceeding will become the most readily and efficiently available to the Examiner. A public hearing will normally include, but need not be limited to, the following elements: a brief prefatory statement and introduction of exhibits by the Examiner; a presentation by the appellant which shall include an explanation of the appeal based solely on the existing records including the basis of the appeal as submitted in writing by the appellant; testimony of Snohomish Health District personnel; and opportunities for rebuttal.~~

~~B. — The Examiner may ask questions of any witness, including Health District staff, at any time during testimony to seek clarification or elaboration of testimony being given. Further, the~~

~~Examiner may request submittal of additional information to better enable the Examiner to make a complete and accurate evaluation of the issues.~~

~~C. The Examiner may indicate, at the outset of the hearing, that the Examiner has studied the materials relating to the case and has made a preliminary determination that there seem to be certain central issues which need to be addressed. The Examiner may request that these issues be addressed in testimony to be offered.~~

~~D. The Examiner reserves the right to abbreviate the normal sequence of events at a hearing when it appears: that no one's rights would be infringed upon by such abbreviation; that detailed exposition of the case is not necessary to the Examiner's understanding of the case; and that no one present objects to such abbreviation.~~

~~E. Each public hearing will be electronically recorded on magnetic tape to provide a permanent, verbatim record of the proceedings. Therefore, all parties wishing to offer verbal testimony will be required to speak into a microphone provided for that purpose, prefacing their remarks with their full name and area of residence. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.2].~~

~~1.15.030 — Clerk.~~

~~The Health District shall provide for a clerk to be present during hearings. The clerk shall be responsible for maintaining the register of parties of record, for marking exhibits, and keeping a list of exhibits and witnesses and to perform such other ministerial duties as may be assigned by the Examiner. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.3].~~

~~1.15.040 — Parties of record.~~

~~A. Any interested person may become a party of record for a particular case by signing a register provided by the Examiner for that purpose. The register will include full name and complete mailing address. The Examiner is not responsible for illegible or incomplete entries on the register nor is the Examiner obligated to send materials to any illegible or incomplete address.~~

~~B. The register for each case will be available for signing at the hearing and in the office of the Examiner on the next working day following the hearing.~~

~~C. Persons must sign the register in person. Waiver of this requirement may be made by the Examiner in unusual hardship circumstances. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1-10.4].~~

~~1-15.050 — Rights of parties.~~

~~A. General. Every party shall have the right of due notice, presentation of evidence, motion, argument, and all other rights essential to a fair hearing. The Examiner may impose reasonable limitations on the number of witnesses heard, and on the nature and length of their testimony.~~

~~B. Cross Examination. Generally speaking, in hearings before the Examiner, cross examination of persons expressing their views would not be appropriate or contribute anything of value to the fact-finding process. However, where the hearing assumes distinctly adversary proportions, the proponents and opponents are represented by counsel, expert witnesses are called, and complex, technical and disputed factors are involved, cross examination may be beneficial. Within the above guidelines, the allowance and scope of cross examination is within the discretion of the Examiner. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1-10.5].~~

~~1-15.060 — Evidence.~~

~~A. Burden of Proof. The appellant shall have the burden of proof as to material factual issues unless applicable Health District rules and regulations or state law or regulations provide otherwise.~~

~~B. Admissibility. The hearing generally will not be conducted according to technical rules relating to evidence and procedure. Any relevant evidence shall be admitted if it is the type which possesses probative value commonly accepted by reasonably prudent people in the conduct of their affairs. Irrelevant, immaterial, unreliable, or unduly repetitious evidence may be excluded. The rules of privilege shall be effective to the extent recognized by law.~~

~~C. *Receipt and Retention.* All documentary or other physical evidence submitted shall be sequentially numbered as an exhibit and retained by the Health District as a part of the official case record except laws, regulations, and other readily available public documents. Materials which the offering party is not willing to have become Health District property will not be accepted as evidence except, at the discretion of the Examiner, in unusual circumstances.~~

~~D. *Copies.* Documentary evidence may be received in the form of copies or excerpts. Upon request, parties shall be given an opportunity to compare the copy with the original.~~

~~E. *Official Notice.* The Examiner may take official notice of judicially cognizable facts and in addition may take notice of general, technical, or scientific facts within the Examiner's specialized knowledge. When any decision of the Examiner rests, in whole or in part, upon the taking of official notice of a material fact not appearing in evidence of record, the Examiner shall so state in the decision.~~

~~F. *Evidence Received Subsequent to the Hearing.* No documentary material submitted after the close of the public hearing will be considered by the Examiner unless, at such hearing, the Examiner granted additional time to submit such material. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.6].~~

~~1.15.070 — Further hearing.~~

~~A. *Continuation or Postponement.* The Examiner may continue or postpone proceedings for any good cause the Examiner deems reasonable and appropriate within the time limits imposed by relevant ordinances. If the Examiner determines at a hearing that there is good cause to continue such proceeding and specifies the date, time and place, no further notice will be required.~~

~~B. *Reopening of Hearing.* When determination for further hearing is made by the Examiner and approved by the appellant following a hearing on a given appeal, notice of such further hearing shall be given in writing by the Examiner's office at least 10 days before the date for rehearing to all parties notified of the original hearing; provided, that all parties of record from the initial hearing shall be notified whether or not they received initial notice. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.7].~~

~~1.15.080 — Termination of jurisdiction.~~

~~Except for the correction of clerical errors, the jurisdiction of the Examiner is terminated upon the issuance of the decision. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.8].~~

~~1.15.090 — Case record.~~

~~A. Content. The official case record of a hearing conducted by the Examiner shall consist of:~~

~~1. A written case record including all documentary written materials and other exhibits submitted for consideration by the Examiner and the Examiner's decision, together with the register of parties of record and the list of exhibits and witnesses maintained by the clerk.~~

~~2. An electronic recording on magnetic tape of the public hearing.~~

~~B. Disposition. All materials which have become a part of the case record shall be maintained by the Health District as part of the Health District's official records. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.9].~~

~~1.15.100 — Examiner decision — Distribution.~~

~~A. One copy of the Examiner's decision in each case shall be transmitted or mailed to: the appellant, all parties of record who have requested a copy when signing the register and whose names and addresses are legible, the Health District, and any public agency or department deemed by the Examiner to be particularly affected by or interested in the instant case.~~

~~B. The names of all recipients shall be listed in the Examiner's decision. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.10].~~

~~1.15.110 — Maintenance of order during hearings.~~

~~A. The Examiner shall have the power to maintain order and decorum during the conduct of all hearings before the Examiner.~~

~~B. In the event that any person or persons interrupts any hearings before the Examiner such that it becomes not feasible to conduct an orderly hearing, and order cannot be restored by removal of the individual(s) interrupting the hearing, the following steps may be taken:~~

~~1. The Examiner may order the hearing room cleared and continue in session; or~~

~~2. The Examiner may adjourn the hearing and reconvene the hearing at another location.~~

~~C. Whenever the Examiner deems it necessary to reconvene a hearing in a new location because of interruptions preventing an orderly hearing at the regular hearing room location:~~

~~1. Final disposition may be taken only on matters appearing on the agenda at the time the disturbance arose leading to an adjustment.~~

~~2. The Examiner may establish a procedure for readmitting any persons not responsible for the disturbance of the orderly conduct of the hearing.~~

~~D. If necessary, law enforcement personnel may be summoned by the Examiner to carry out any of the provisions of this rule. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.11].~~

~~1.15.120 — Disqualification of Examiner.~~

~~A. When the Examiner deems himself/herself disqualified to preside in a particular proceeding, the Examiner shall withdraw by notice on the record.~~

~~B. Any person may raise an issue of the partiality of the Examiner at any time. If, after considering the merits of the issue, the Examiner determines not to disqualify himself/herself, the raising of such issue shall in no way be considered by the Examiner in rendering a decision on the substantive case at hand. [Res. 93-32, Eff. 11/09/93. Res. 85-44. Prior code § 1.10.12].~~

Chapter 1.20 RIGHT OF APPEALS

Sections:

- 1.20.010 Purpose.
- 1.20.020 What may be appealed.
- 1.20.030 Who may appeal.
- 1.20.040 Pre-appeal conference recommended.
- 1.20.050 Appeal procedure – General information.
- 1.20.060 Appeal procedure – Step one.
- 1.20.070 Appeal procedure – Step two.
- ~~1.20.080 Appeal from Examiner's decision.~~

1.20.010 Purpose.

The purpose of this ~~chapter appeals procedure~~ is to establish appeal procedures ~~a system~~ which will aid in resolving conflicts arising from the administration of the Snohomish ~~Health District Sanitary County Board of Health~~ Code and enforcement of Chapter ~~70.160~~ RCW, ~~Smoking in Public Places, where not otherwise specified~~ and to ensure procedural due process and fairness in such administration. ~~; however, this procedure shall not apply where a specific appeals procedure is written or is incorporated into any enforcement procedure in other chapters of this code. [Res. 11-35, Eff. 12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.1].~~

Commented [A32]: REASON FOR PROPOSED CHANGE:
Updated language for clarity.

1.20.020 Applicability - ~~w~~What may be appealed.

A. Any decision, determination, or order of the Health ~~District Department~~ with respect to applications made to the Health ~~District Department~~; or the revocation, ~~or~~ suspension, or modification of a license, certificate, or permit issued by the Health ~~Department District~~ ~~may be appealed~~ are subject to the appeal procedures in this chapter. For purposes of this chapter, The the appealable actions listed in this section are referred to as a "decision." ~~same may be referred to in this chapter as the "order" or the "decision under dispute."~~ [Res. 11-35, Eff.

Commented [A33]: REASON FOR PROPOSED CHANGE:
Updated what actions can be appealed.

~~12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.2].~~

1.20.030 Who may appeal.

~~Any aggrieved person may appeal applicant or one with a proprietary interest in the subject property feeling aggrieved by a decision or order of the Health District Department made pursuant to these rules and regulations listed in SCBHC 1.20.020. and Chapter 70.160 RCW, entitled, "Presumptively Reasonable Distance," may appeal. [Res. 11-35, Eff. 12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.3].~~

Commented [A34]: REASON FOR PROPOSED CHANGE:
Changed verbiage on who can appealed to "aggrieved person". This is a common term used in most appeal procedures. Due process would require that an aggrieved person has a right to appeal.

1.20.040 Pre-appeal conference recommended.

~~Although not required for the purpose of initiating the appeal procedure process, any applicant or one with a proprietary interest in the subject property feeling aggrieved person by the from the decision under dispute is encouraged to avail himself/herself of the opportunity to request an office conference with the Health District Department Official who made the decision. Such conference will permit a free exchange of viewpoints. The Health District Department Official will be expected to discuss and clarify the reason(s) for the decision and identify the applicable regulations which are applicable. The individual aggrieved person dissatisfied with the decision may present his/her/their position and submit provide any information he/she feels has not been adequately considered in making the relevant to the decision. A Health District Manager Department Director or his/her designee may attend such conference. If the individual aggrieved person presents information not previously available or raises issues not previously addressed, the Health Department may undertake an additional review of the matter following the conference. A request for a pre-appeal conference does not stay the 21-day deadline required for an appellant to file a step one appeal. [Res. 11-35, Eff. 12/13/11. Res. 97-~~

Commented [A35]: REASON FOR PROPOSED CHANGE:
Cleaned up existing language. Added clarity that the 21 day appeal deadline of the decision under dispute is still in effect, regardless if the pre-appeal conference is requested or not.

02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93.
Prior code § 1.9.4].

1.20.050 Appeal procedure – General information.

A. The appeal ~~procedure process~~ shall consist of a step one appeal and a step two appeal.

B. ~~A Step-step~~ one appeal shall be an administrative review conducted by the responsible Health ~~District Department~~ Division of a decision, determination, or order listed in SCBHC 1.20.020(A).

C. ~~A Step-step~~ two appeal shall be a review of a step one appeal decision issued by the Department under SCBHC 1.20.060 and shall be conducted by the a Hearing Examiner under the procedures in chapter 2.02 SCC.

D. ~~An appeal of a decision or order under this chapter does not stay the effectiveness of the decision or order while the appeal is pending. The appeal procedure shall be initiated by the appellant within 21 days of the date of the decision under dispute. [Res. 11-35, Eff. 12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.5].~~

Commented [A36]: REASON FOR PROPOSED CHANGE:
Addresses the effect of an appeal and will allow the decision under dispute to be effective until the appeal has resolved.

Commented [A37]: REASON FOR PROPOSED CHANGE:
Appellant timelines were relocated to 1.20.060(B). They should not be parked in “general” procedure as they only apply to step one appeals.

1.20.060 Appeal procedure – Step one appeal.

A. *General.* ~~A Step-step~~ one appeal shall be an internal administrative review of a decision, determination, or order listed in SCBHC 1.20.020(A) conducted by ~~supervisory staff~~ the Director or his/her designee of the responsible Health ~~District Department~~ Division with the step one appeal decision to be rendered by the Division Director. ~~Depending upon the circumstances of the individual case under appeal, the~~ Health Officer may be consulted during the internal administrative review process for a the step one ~~procedure~~ appeal.

Commented [A38]: REASON FOR PROPOSED CHANGE:
New subsections clearly explain to the appellant how, where, and when to file a step one appeal.

B. Time And Place to Appeal. Step one appeals shall be filed in writing with the responsible Snohomish County Health Department Division Office (Attention: Division Director) within 21 calendar days of the decision being appealed. Failure to file a timely and complete appeal shall constitute a waiver of all rights to an administrative appeal under the Snohomish County Board of Health Code.

Commented [A39]: REASON FOR PROPOSED CHANGE:
The appellant deadline for filing a step one appeal is now in the step one procedures. Also clarifies what happens when a deadline has been exceeded.

C. Form Of Appeal. A person filing a step one appeal must file a written statement setting forth: the decision under appeal; facts demonstrating that the person is aggrieved by the decision; a concise statement identifying each alleged error and the manner in which the decision fails to satisfy the applicable regulation; the specific relief requested; whether the appellant wants to exercise the right to meet with the Health Department or waive the right to a meeting; and any other information reasonably necessary to make a decision on the appeal.

Commented [A40]: REASON FOR PROPOSED CHANGE:
To prevent last minute requests that may further delay the review process. This would require the request to come at the time of filing the appeal.

~~B. Initiation of Step One.~~ The person feeling aggrieved person (hereinafter referred to as appellant) shall initiate the appeal procedure in writing on forms supplied and prescribed by the Health Officer. Appellant must provide the Health District Department with a copy of the written notice of the appeal either by hand delivery to the responsible Snohomish County Health District Department Division Office (Attention: Division Director) or sent by certified mail within the time periods set forth in SHDC SCBHC 1.20.050(D). The appellant shall state the decision being appealed, the reason(s) for the appeal, and cite the regulation(s) which the appellant feels have not been followed or correctly interpreted by the Health District Department.

D.C. Step One Appeal Review Procedure. The Division Director or his/her designee shall perform an administrative review within 30 days of filing the request for an appeal. Such review shall consist of a review of information relevant to the matter under appeal which will include, but not be limited to: (1) review of Health District Department records; (2) review of information submitted by the appellant; (3) determination of what review of applicable regulations/laws are applicable; (4) on-site inspection of the property in question, if deemed necessary by the Division Director or designee appropriate; (5) meeting with the appellant if such meeting has been requested in the appellant's request for step one appeal procedure. If

the Director feels that additional studies are indicated, the step one review period may be extended by 10 days if necessary in order to have such studies performed.

E. D. Step One Appeal Decision. The Division Director or designee shall issue a written step one appeal decision to the appellant within 30 calendar days of the filing of the appeal. inform the appellant in writing of the decision to the step one appeal procedure. The director may affirm, may reverse in whole or in part, or may modify the decision under dispute. Such decision will indicate whether the original decision is upheld, overruled, or whether the Health District is willing to consider other alternatives. The step one appeal decision shall include findings of fact based on the record and conclusions of law which support the decision. A copy of the step one appeal decision shall be filed with the Health Officer. [Res. 11-35, Eff. 12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.6].

Commented [A41]: REASON FOR PROPOSED CHANGE:
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. This new language clearly lays out the deadline expectations of the Health Dept.

1.20.070 Appeal procedure – Step two appeal.

A. General. A Step step-two appeal shall be a review of a step one appeal decision issued by the Department under SCBHC 1.20.070 and hearing shall be conducted by a the Hearing Examiner under the. Step two shall follow step one of this appeal procedure if the appellant is dissatisfied with the step one decision. the provisions of Chapter 2.02 SCC.

Commented [A42]: REASON FOR PROPOSED CHANGE:
Revised to rely on Chapter 2.02 of the SCC, which address hearing examiner procedures. Ch.2.02 covers everything for step two with the exception of appeal fees and burden of proof. This language was added to address these gaps.
Note: 2.02 SCC also covers procedures for appealing the Hearing Examiner's decision.

B. Appeal Fee. A step two appeal must include the appeal fee as established by the Board of Health in the fee schedules set forth in SCBHC 1.05.050.

C. Burden of Proof. The appellant has the burden of proof by preponderance of the evidence for appeals related to a decision, determination, or order of the Health Department with respect to an application. The Department has the burden of proof by preponderance of the evidence for appeals related to the revocation, suspension, or modification of a license, certificate, or permit.

B. Initiation of Step Two.

~~The appellant shall initiate the step two appeal procedure by submitting a fully-completed request for appeal on forms supplied and prescribed by the Health Officer. Such request may be delivered to the responsible Snohomish Health District Office (Attention: Division Director) or sent by registered mail within 21 days after the date the step one decision was rendered.~~

~~C. Fee Required. The request for the step two appeal procedure shall be accompanied by payment of a fee as established by the Board of Health in the fee schedule.~~

~~D. Hearing Examiner.~~

~~1. Selection. The Health Officer shall appoint a Hearing Examiner from one of the following: (a) any Hearing Examiner employed or retained by Snohomish County; (b) any Hearing Examiner employed or retained by any city or town within Snohomish County; (c) any attorney who has served as a judge pro tem; (d) any other individual who possesses qualifications to serve as Hearing Examiner and who has been approved by the Board of Health.~~

~~2. Qualifications. Examiners shall be appointed solely with regard to their qualifications for the duties required and will have such experience and training as to qualify them to conduct administrative or quasi-judicial hearings on regulatory enactments and to discharge such other functions conferred upon them. Hearing Examiners will not be current or past employees or consultants for Snohomish Health District.~~

~~3. Discontinuation of Services. The service of any Examiner employed or retained by the Health District may be discontinued by action of the Board of Health.~~

~~4. Freedom from Improper Influence. No person, including Health District employees and/or members of the Board of Health, shall attempt to influence a Hearing Examiner in any matter pending before the Examiner, except at a public hearing duly called for such purpose, or to interfere with an Examiner in the performance of his/her duties in any way; provided, that this section shall not prohibit the Health District's attorneys from rendering legal service to the Examiner nor shall it prohibit Snohomish Health District staff from providing support services to the Examiner upon request.~~

Commented [A43]: Covered under SCC [2.02.060](#)

1 ~~5. **Conflict of Interest.** No Examiner shall conduct or participate in any hearing, decision or~~
2 ~~recommendation in which the Examiner has a direct or indirect substantial financial or~~
3 ~~familial interest or concerning which the Examiner has had substantial pre-hearing contacts~~
4 ~~with proponents or opponents. Nor, on appeal from an Examiner decision, shall any~~
5 ~~member of the Board of Health who has such an interest or has had such contact~~
6 ~~participate in consideration thereof.~~

Commented [A44]: Covered under SCC [2.02.070](#)

7 ~~6. **Hearing Rules – Procedures.** The Board of Health shall adopt rules for the conduct of~~
8 ~~hearings and other procedural matters related to the duties of Hearing Examiners. In~~
9 ~~adopting such rules and procedures, the Board shall take into consideration~~
10 ~~recommendations of persons serving as Hearing Examiners.~~

Commented [A45]: Covered under SCC [2.02.090](#)

11 ~~7. **Powers and Duties.** The Hearing Examiner shall receive and examine available~~
12 ~~information, conduct hearings, prepare records thereof, and enter decisions on step two~~
13 ~~appeal procedures. The Hearing Examiner shall have no authority to authorize the issuance~~
14 ~~of a permit contrary to the laws of the state of Washington, Washington Administrative~~
15 ~~Code (WAC), the Sanitary Code of Snohomish Health District, Chapter ~~70.160~~ RCW, or~~
16 ~~applicable local rules and regulations of the Board of Health of the Snohomish Health~~
17 ~~District.~~

Commented [A46]: Covered under SCC [2.02.100](#)

18 ~~E. **Step Two Hearing.**~~

19 ~~1. **Scheduling.** The Health Officer shall, upon receiving a request from an appellant for a~~
20 ~~step two hearing, appoint a Hearing Examiner and schedule such hearing within a~~
21 ~~reasonable time after receipt of their request for appeal. Appellant shall receive written~~
22 ~~notice of the time and place of the hearing not fewer than 21 days prior to the date of the~~
23 ~~hearing.~~

24 ~~2. **Notice.** Notice of the time and place of the public hearing will be sent by certified mail~~
25 ~~to the appellant by the Health Officer.~~

26 ~~3. **Information for Hearing Examiner.** Health District staff shall coordinate and assemble a~~
27 ~~factual statement with attached relevant documentation, along with the position~~
28 ~~statement of the Health District staff relative to said appeal, all to be delivered or mailed by~~
29 ~~certified mail to the Hearing Examiner and the appellant not fewer than 14 days prior to~~
30 ~~the scheduled hearing.~~

~~4. **Information – Documentation – Admission by Appellant.** Appellant shall assemble and submit any factual statement and copies of all documents or exhibits which appellant intends to submit at said hearing, together with appellant's position statement to the Hearing Examiner and to the Snohomish Health District not fewer than seven days prior to the scheduled hearing. To the extent that the factual statement and/or documentation would be repetitious with the submission of the Health District staff, appellant shall not resubmit such factual statements or documentation unless necessary for the continuity of appellant's position statement. Furthermore, the statement from appellant shall:~~

~~a. Identify those factual statements made by the Health District which are accepted by appellant as facts.~~

~~b. Identify and attach all documents or exhibits appellant intends to submit and/or reference at such hearing.~~

~~c. Identify all errors asserted by appellant to have been made by the Health District.~~

~~d. Identify all witnesses intended to be called and a summary of the fact or opinions each is expected to testify to at such hearing. The failure to disclose such witnesses and/or a summary of expected testimony shall be a basis to bar such witness testimony at the hearing.~~

~~5. **Burden of Proof.** Except in the case of the revocation or suspension of a license or permit, the appellant shall have the burden of proof.~~

~~6. **Conduct of Public Hearing.** The Examiner shall conduct the public hearing following the general rules and procedures which have been adopted by the Board of Health as per subsection (D)(6) of this section.~~

Commented [A47]: Covered under [SCC 2.02.140](#)

~~7. **Examiner's Decision.** Unless a longer period is agreed to in writing or verbally on the record at the public hearing by the appellant, within 15 days of the conclusion of a hearing the Examiner shall render a written decision which shall include at least the following:~~

Commented [A48]: Covered under SCC [2.02.155](#)

~~a. Findings based upon the record and conclusions therefrom which support the decision. Such findings and conclusions shall also set forth the manner by which the decision would conform to the applicable regulations.~~

~~b. A decision on the appeal which may be to grant, grant in part, return to the appellant for modification, deny or grant with such conditions, modifications, restrictions as the Examiner finds necessary to comply with the applicable regulations.~~

~~c. A statement which indicates the procedure for appealing the Examiner's decision. The Examiner's decision shall be mailed to the appellant, the Health Officer, and any other person who specifically requested notice of the decision by signing a register provided for such purpose at the hearing. [Res. 11-35, Eff. 12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.7].~~

~~1.20.080 — Appeal from Examiner's decision.~~

~~A. General. The decision of the Examiner shall be final and conclusive unless appealed by the appellant or Health Officer to the Board of Health.~~

~~B. Initiation of Appeal to Board of Health — Appellant. Any appellant wishing to appeal the decision of the Hearing Examiner to the Board of Health must file in writing a statement with the Health Officer within 15 days of the date of the decision of the Hearing Examiner. Such notice may be delivered personally to the Administration Office of Snohomish Health District (Attention: Health Officer) or sent by certified mail. The appellant shall submit specific statements in writing of the reason why error is assigned to the decision of the Examiner, and a copy of the Hearing Examiner decision which shall be accompanied by a fee as established by the Board of Health in the fee schedule.~~

~~C. Initiation of Appeal to Board of Health — Health Officer. The Health Officer may appeal the decision of the Hearing Examiner to the Board of Health if the Health Officer believes that the Examiner's decision may jeopardize the public health or is contrary to the applicable regulations. The notice of appeal by the Health Officer shall be filed with the Chair (or Vice-Chair in absence of the Chair) of the Board of Health in writing within 15 days of the date of the~~

Commented [A49]: REASON FOR PROPOSED CHANGE:
Appealing the Hearing Examiner's decision is already addressed in SCC 2.02. This section is no longer needed.

~~decision of the Hearing Examiner. Such notice shall contain a statement of the reason why the Health Officer believes that the Examiner made an error in issuing the decision and provide a copy of the Hearing Examiner decision. The Health Officer shall send a copy of the notice of appeal to the appellant by certified mail.~~

~~D.—Stay of Examiner's Decision. When an appeal of the Examiner's decision is made to the Board of Health, the filing of such appeal shall stay the effective date of the Examiner's decision until such time as the appeal is adjudicated or withdrawn.~~

~~E.—Board of Health Consideration—~~

~~1.—An Examiner's decision which has been timely appealed shall be reviewed by the Board of Health at a regularly scheduled meeting within 45 days of the receipt of the appeal notice. Both parties shall be notified of the date of review by the Board of Health. Both parties may submit additional written information, if desired, for review by Board members. Such information must be received by the Health Officer not fewer than 10 days prior to the hearing to permit copying and mailing to Board members. By this process, it is not intended nor shall it be the obligation of the Board to receive or review the entire or extensive record from the Hearing Examiner proceeding in order to take action.~~

~~2.—At the Board of Health Meeting referenced in subsection (E)(1) of this section, the Board of Health shall take one of the following actions:~~

~~a.—Concur with the findings and conclusions of the Examiner and decline to hear an appeal.~~

~~b.—Determine to hear the appeal at a public hearing to be established at a later date.~~

~~c.—Remand a decision to the Hearing Examiner for further hearing and specifically identify for the Examiner the grounds for the remand.~~

~~At such meeting, staff shall provide an oral summary of the decision, and respond to any questions of the Board. Except as requested by the Chair, no additional comments or testimony from the appellant, public, or witnesses shall be taken on the subject matter for purposes of the decision to be made by the Board at said meeting.~~

~~3. In those instances in which the Board of Health determines to conduct a public hearing, such hearing shall be scheduled within 45 days of the Board of Health meeting referenced in subsection (E)(1) of this section, and all parties given notice of the date of the scheduled hearing. Procedures for the conduct of public hearings will be pursuant to the format identified in Snohomish Health District Environmental Health Hearing Rules of Procedure, and the Chair of the Board of Health, or such Board member selected by the Chair, shall coordinate the presentation of evidence and the decision. The issue before the Board will be limited to a determination of whether the Hearing Examiner erred under the clearly erroneous standard in making his/her decision. Under the clearly erroneous standard, the Board may only overturn the decision of the Examiner if, after reviewing the entire record, the Board is left with the definite and firm conviction that an error has been made. If the Board determines that an error did occur, it may issue a new decision or modify the decision rendered by the Examiner. The decision of the Board of Health shall be supported by findings and conclusions.~~

~~4. Staff shall provide appellant with written notice of the action taken by the Board hereunder.~~

~~F. *Effect of Board of Health's Decision.* The Board's decision not to hear an appeal or the Board's decision after public hearing on an appeal shall be final and conclusive unless an application is made to a court of competent jurisdiction by writ of certiorari, writ of prohibition or writ of mandamus within 30 days of final Health District action or such time period as authorized by law. [Res. 11-35, Eff. 12/13/11. Res. 97-02, Eff. 01/14/97. Res. 96-27, Eff. 12/17/96. Res. 95-16, Eff. 05/09/95. Res. 93-32, Eff. 11/09/93. Prior code § 1.9.8].~~

Chapter 1.25

PUBLIC RECORDS

Sections:

~~1.25.010 — Intent.~~

Commented [A50]: REASON FOR PROPOSED CHANGE:

There is no need to have a separate section on public records since Chapter 2.51 of the SCC applies to the entire county.

~~1.25.010 — Intent.~~

~~A. — Due to the burdensome nature and impact of maintaining a comprehensive public record index, the Snohomish Health District and its respective divisions and programs shall not maintain a comprehensive public records index. In the event a division or an individual program within a division does maintain such an index, it shall be made available for public inspection unless otherwise exempt from disclosure or made confidential by law.~~

~~B. — For purposes of Chapter 42.56 RCW, the Health Information Manager is designated as the Public Records Officer of the Snohomish Health District to whom members of the public may direct requests for disclosure of public records and to generally provide daily oversight of public records requests. However:~~

~~1. — The Public Records Officer may designate others to assist him/her in carrying out the day-to-day affairs of the Public Records Officer. Contact information calculated to provide notice to the public shall be posted and/or published by the Snohomish Health District.~~

~~2. — Specific requests for records that are division or program related may be submitted directly to that division or program and/or to the Public Records Officer.~~

~~3. — Anyone who makes a public records request may be required to fill out a written request form provided by the Snohomish Health District.~~

~~4. — Requests for public records which, on their face, appear not to involve potential unreasonable invasion of privacy or consideration of specific exemptions provided by public disclosure laws or otherwise do not appear to be in conflict with potential confidentiality requirements and further, which do not otherwise appear to unduly burden the Snohomish Health District may be addressed in an informal manner at a division or program level as the circumstances merit.~~

~~5. — A nonexclusive listing of potential laws exempting or prohibiting disclosure of public records is maintained by the Public Records Officer.~~

~~C. — No fee shall be charged for inspection of public records or locating a public record. A reasonable charge may be imposed for providing copies of public records or for the use by any person of district equipment to copy public records, which charges shall not exceed the amount necessary to reimburse the Snohomish Health District for its actual costs directly incident to~~

~~such copying. In determining the actual cost for providing photocopies of public records, the Snohomish Health District may include all costs directly incident to copying including the actual costs of the paper, and the cost for use of copying equipment, all costs directly incident to shipping such public records including postage, delivery charges, and the cost of any container or envelope used. Further, staff time to copy and mail the requested public records may be included in its costs. A deposit may be required where not prohibited by law. It is recognized that a particular division or program may have varying costs associated with public disclosure requests due to the unique nature of their records.~~

~~D. Snohomish Health District may establish and publish a more comprehensive public records policy not inconsistent with the resolution codified in this section and not inconsistent with applicable statutory laws, rules and regulations. [Res. 10-12].~~

Chapter 1.30

OFFICIAL NEWSPAPER OF RECORD

Sections:

1.30.010 **Designated.**

1.30.010 **Designated.**

The Board of Health designates the *Everett Herald* as its official newspaper of record. ~~[Res. 10-12].~~

~~The Snohomish Health District Code is current through Resolution 22-34, passed December 29, 2022.~~

~~Disclaimer: The District has the official version of the Snohomish Health District Code. Users should contact the District for enactments passed subsequent to the enactment cited above.~~

~~District Website: www.snohd.org~~

1 **District Telephone: (425) 339-5210**

2 Code Publishing Company

3

1



**BOARD OF
HEALTH
STAFF
REPORT
(SR 23-015)
AUGUST 8,
2023
BRIEFINGS**

Board of Health Administrative Rules (SR 23-017; N. Thomsen)

Division:

Office of the Director / Nicole Thomsen, Public Affairs & Policy Manager

Prior Board Review:

None

Background

Snohomish County Code 2.300.130 requires that the Board of Health adopt administrative rules and procedures. Draft administrative rules (Attachment A) are based on discussions at the Local Board of Health training in Bellingham, King County's Board of Health administrative rules, Snohomish Health District Charter, and Snohomish County Council meeting rules.

An initial draft has been reviewed by the board chair and vice chair. The current version has not been reviewed by legal. Legal review will be conducted following board member feedback and in advance of the regular September Board of Health meeting. Rules include:

- Membership requirements (attendance, removal, compensation)
- Chair and vice-chairs establishment and duties
- Legislative and non-legislative tools
- Voting
- Ethics

Following the Board's discussion and legal review, these draft rules will be combined into the larger Board of Health Code for adoption later this year.

Board Authority

RCW 70.05.060 – Powers and duties of local board of health and Snohomish County Code Chapter 2.300

Recommended Motion

No motion required. Briefing only.

ATTACHMENTS:

Description

- Draft Board of Health Administrative Rules Ordinance Dated July 31, 2023

SNOHOMISH COUNTY BOARD OF HEALTH
Snohomish County, Washington

ORDINANCE NO. 23-_____

CREATING BOARD OF HEALTH ADMINISTRATIVE RULES; ADDING CHAPTER 1.10
TO THE SNOHOMISH COUNTY BOARD OF HEALTH CODE

BE IT ORDAINED:

Section 1. A new chapter is added to Title 1 of Snohomish County Board of Health Code to read:

Chapter 1.10

BOARD OF HEALTH ADMINISTRATION

Sections:

- 1.10.010 Membership
- 1.10.020 Chair
- 1.10.030 Vice-Chairs
- 1.10.040 Meetings
- 1.10.050 Agenda
- 1.10.060 Rules and regulations
- 1.10.070 Resolutions
- 1.10.080 Guidelines and recommendations
- 1.10.090 Quorum and voting
- 1.10.100 Staffing to the board of health
- 1.10.110 Codification
- 1.10.120 Ethics
- 1.10.130 Parliamentary rules

1.10.010 Membership.

(1) This section adopts SCC 2.300.100 through 2.300.120 by reference.

(2) Consistent with SCC 2.300.150, members shall serve without compensation, but may receive reimbursement for mileage to and from meetings and for such other expenses as approved by the health department director as limited by budgetary constraints.

(3) If a member is absent and unexcused for three consecutive meetings, that member will be recommended for removal by the board chair or by written request from a majority of board members. An unexcused absence is defined as an absence without notifying the chairperson, department board administrator, or board clerk prior to the beginning of a regular or special meeting.

(4) Consistent with SCC 2.03.080, board members may be removed by the county council for misfeasance.

1
2 **1.10.020 Chair.**
3

4 (1) Consistent with SCC 2.300.090, the board shall annually elect a chair in January
5 selected from among board members representing the Snohomish County council.

6 (2) The chair shall preside at the meetings of the Board of Health and perform such
7 other duties as custom and parliamentary procedure require.

8 (3) The chair shall preserve order and decorum and in the interest of efficiency may
9 impose time and subject matter limits for the testimony and comment given by the
10 public and members of the board.

11 (4) The chair may promote efficient operation of the board, including alteration of the
12 order of the agenda if necessary, and expedite orderly debate and passage of routine
13 motions.

14 (5) The chair may speak to points of order, inquiry, or information in preference to other
15 members and shall decide all questions of order, subject to appeal from two members
16 of the board.

17 (6) Consistent with SCC 2.300.130, the chair may establish standing and ad hoc
18 committees of the board and may appoint board members and other persons to any
19 committee to facilitate the performance of the board's function.

20 (7) The chair shall attend regular and special meetings of the board in-person at the
21 designated physical location in SC BOH 1.10.040(3).

22 (8) The chair shall sign rules and regulations, guidelines and recommendations,
23 proclamations, and resolutions adopted by the board.
24

25 **1.10.030 Vice-chairs.**
26

27 (1) Annually, in January, the board shall designate two vice-chairs. One vice-chair shall
28 be from elected city officials of the board and one vice-chair shall be elected from the
29 nonelected members of the board as defined in SCC 2.300.100(d).

30 (2) In the absence of the chair, a vice-chair will exercise the duties, powers, and
31 prerogatives of the chair.

32 (3) Each year the board shall designate the order in which the vice-chairs may act in
33 absence of the chair. The order of the vice-chair shall rotate annually.
34

35 **1.10.040 Meetings.**
36

37 (1) The time of the regular meeting of the board shall be 3:00 p.m. on the second
38 Tuesday of each month.

39 (2) Any regular meeting may be cancelled by the board chair.

40 (3) All regular meetings of the board shall be held in the health department auditorium
41 located at 3020 Rucker Ave, Everett, Washington and via video conferencing.

42 (4) The chair or a majority of board members may call a special meeting consistent with
43 the provisions of RCW 42.30.080.

44 (5) The board may hold executive sessions from which the public may be excluded
45 consistent with the provisions of RCW 42.30.110.

46 (6) When in an emergency as defined in chapter 2.36 SCC or by the health officer, it

1 may be impossible or unsafe to conduct business of the board in a physical location.
2 During such a time, affairs of the board may be conducted solely through video
3 conferencing. Required open public meeting act physical posting requirements shall be
4 suspended during the period of the emergency.

5
6 **1.10.050 Agenda.**
7

8 (1) Subject to the discretion of the chair, the board shall dispose of business in the
9 following order:

- 10 (a) Call to order;
11 (b) Roll call;
12 (c) Approval of agenda contents and order;
13 (d) Approval of minutes;
14 (e) Special business;
15 (f) Public comment;
16 (g) Written reports;
17 (h) Consent agenda;
18 (i) Action;
19 (j) Briefings;
20 (k) Report of the health department director;
21 (l) Report of the health officer;
22 (m) Executive session;
23 (n) Information items; and
24 (o) Adjourn.

25 (2) The agenda for regular and special meetings shall include information about how to
26 access meetings remotely.
27

28 **1.10.060 Rules and regulations.**
29

30 (1) Before adoption, amendment, or repeal of any rule and regulation, the board shall
31 conduct a public hearing on the subject of the proposed rule and regulation at a regular
32 or special meeting of the board.

33 (2) The board shall provide at least fourteen calendar days' notice of a public hearing,
34 except emergency ordinances, by publication in the official newspaper of Snohomish
35 County and on the department webpage.

36 (3) Any proposed ordinance may be amended by motion at the public hearing without
37 publication, provided that such amendments shall not change the scope and object of
38 the proposed ordinance.

39 (4) On final passage the vote must be taken by roll call vote of yeas and nays.

40 (5) Following passage, the ordinance shall be signed by the chair, or the vice-chair in
41 the absence of the chair.

42 (6) Ordinances for the adoption of rules and regulations shall be drafted in a form
43 consistent with the Snohomish County Drafting Manual for Local Legislation established
44 by the Clerk of the Snohomish County Council and the office of the Snohomish County
45 Prosecuting Attorney.
46

1 **1.10.070 Resolutions.**

- 2
3 (1) The board may adopt resolutions that formally indicates its opinion or intent
4 regarding a particular subject.
5 (2) Resolutions do not have the force and effect of law.
6 (3) Adoption of resolutions shall be considered as action items on meeting agendas.
7 (4) Resolutions shall be drafted in a form established by the clerk of the board.
8

9 **1.10.080 Guidelines and recommendations.**

- 10
11 (1) The board may adopt guidelines and recommendations to express its current
12 thinking on health-related topics and to provide policy guidance for other entities.
13 (2) Guidelines and recommendations are advisory only and do not have the force and
14 effect of law.
15 (3) Before adoption, amendment, or repeal of a guideline and recommendation, the
16 board shall conduct a public hearing about the proposed guidelines and
17 recommendations at a regular or special meeting of the board.
18 (4) The board shall provide at least fourteen calendar days' notice of a public hearing by
19 publication in the official newspaper of Snohomish County and on the department
20 webpage.
21 (5) Any proposed guideline and recommendation may be amended by motion at the
22 public hearing without publication, provided that such amendments shall not change the
23 scope and object of the proposed ordinance.
24 (6) On final passage the vote must be taken by roll call vote of yeas and nays.
25 (7) Following passage, the ordinance shall be signed by the chair, or the vice-chair in
26 the absence of the chair.
27 (8) Guidelines and recommendations shall be drafted in a form established by the clerk
28 of the board.
29

30 **1.010.090 Quorum and voting.**

- 31
32 (1) Five members of the board of health shall constitute a quorum.
33 (2) When taking action, a quorum must be established and include at least two elected
34 members.
35 (3) Where there exists one or more vacancies on the board of health, a majority of
36 members in office at the time shall be sufficient to constitute a quorum for purposes of
37 making nominations to the board of health for council action.
38 (4) In accordance with RCW 70.05.035 and SCC 2.300.100(3), any decision related to
39 the setting or modification of permit, licensing, and application fees may only be
40 determined by the county council and city board members. As such a quorum for
41 meetings solely taking action on setting or modification of permit, licensing, and
42 application fees will be three of the county council and city board members.
43 (a) The chair may request an advisory vote on setting or modification of permit,
44 licensing, and application fees from nonelected members of the board as defined in
45 SCC 2.300.100(d) prior to taking action by the county council and city voting board
46 members.

- 1 (5) There will be no voting by proxy on any question before the board.
2 (6) An affirmative simple majority of voting members is required to take action.
3

4 **1.010.100 Staffing to the board of health.**
5

6 (1) Consistent with SCC 2.300.040 the director of the Snohomish County department of
7 health or their designee shall act as administrator to the board and shall be responsible
8 for administrating the operations of the board.

9 (2) The board administrator shall coordinate work and the providing of information
10 among board members, coordinate action and the providing of information between the
11 department director and the board, work with the chairperson and clerk of the council on
12 the calendar and agendas, and perform such other duties as are delegated by the board
13 through the chairperson.

14 (3) The director of the Snohomish County department of health shall designate a board
15 of health clerk.

16 (4) The clerk shall attend meetings and hearings of the board, cause minutes of
17 meetings and hearings to be kept as required by law, coordinate meetings and hearings
18 of the board or its members with other county officials, maintain the board's records and
19 provide access to those records on the internet, codify all adopted rules and regulations
20 adopted by the board, provide attestation, and perform such other duties as requested
21 by the health department director.

22 (5) The Snohomish County prosecuting attorney, or their designee, shall serve as legal
23 counsel to the board.
24

25 **1.010.110 Codification.**
26

27 The board, through the clerk of the board, shall provide for the codification of all rules
28 and regulations that have the force of law and are permanent and general nature and
29 for the compilation of all guidelines and recommendations. The code and compilation
30 shall be posted to the internet with an index and appropriate notices, citations, and
31 annotations.
32

33 **1.010.120 Ethics.**
34

35 (1) Board members shall comply with the Snohomish County code of ethics, chapter
36 2.50.

37 (2) Board members with a conflict of interest shall declare the conflict before the board
38 and refrain from discussing or voting on matters in which the member has a conflict.
39

40 **1.010.130 Parliamentary rules.**
41

42 The rules contained in the most current version of Robert's Rules of Order shall govern
43 all rules of this body, in all cases to which they are applicable, and in which they are not
44 inconsistent with the rules in this chapter.
45
46

PASSED this _____ day of _____, 2023.

SNOHOMISH COUNTY BOARD OF HEALTH
Snohomish County, Washington

Chairperson

ATTEST:

Asst. Clerk of the Board

() APPROVED
() EMERGENCY
() VETOED

DATE: _____

County Executive

ATTEST:

Approved as to form only:

Deputy Prosecuting Attorney



**BOARD OF
HEALTH
STAFF
REPORT
(SR 23-018)
AUGUST 8,
2023
BRIEFINGS**

Environmental Health Fee Schedules (23-018; R. Gray)

Division:

Environmental Health / Ragina Gray, Director

Prior Board Review:

None

Background

RCW 70.05.060 requires the local board of health to establish fee schedules for issuing or renewing licenses or permits or for such other services as are authorized by the law and the rules of the state board of health. The rule further provides that such fees for services shall not exceed the actual cost of providing any such services.

Per RCW 70.05.035(I) and SCC 2.300.100 require that, “Any decision by the board of health related to the setting or modification of permit, licensing, and application fees may only be determined by the city and county elected officials on the board.” In meeting these requirements fees will be adopted in a separate action from the Board of Health Code, also currently in front of the board for consideration.

A 5% increase across all permits, inspections, reviews, and related fees are being proposed. This increase reflects the same increase in staff cost of living adjustments.

Board Authority

RCW 70.05.060 – Powers and duties of local board of health and Snohomish County Code Chapter 2.300

Recommended Motion

Briefing only.

ATTACHMENTS:

Description

- ▣ Presentation Slide Deck

- ▣ Food Safety Fee Schedule
- ▣ Land Use Fee Schedule
- ▣ Safe Environments Fee Schedule
- ▣ Solid Waste Fee Schedule
- ▣ Vital Records Fee Schedule
- ▣ Miscellaneous Fee Schedule

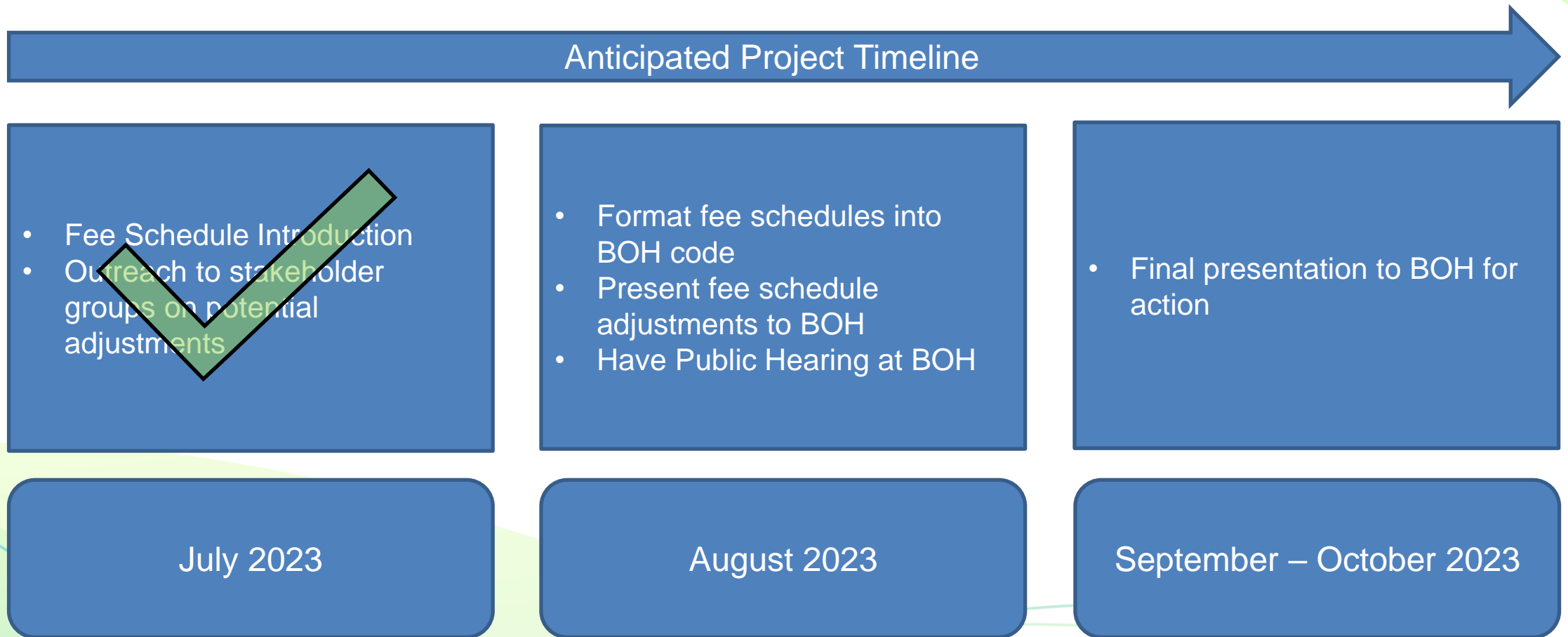


Board of Health Environmental Health Fee Schedule Briefing

Agenda!

1. **Parts of the fee schedule**
2. **Overarching changes**
3. **Individual fee schedule walkthrough**
4. **Next steps**
5. **Questions**

Phase 1 Fee Adoption Process



Parts of the fee schedule

- EH Miscellaneous Fees
- Food Safety
- Land Use
- Safe Environments
- Solid Waste
- Vital Records



hldecorating.co.uk

Overarching Changes

- 5% increase across the board
- Some manipulation depending on
 - Rounding
 - Extent of change in previous years



<https://th.bing.com/th/id/OIP.R1BqXIKZMKoUFNSJfwZkZQHaeK?pid=ImgDet&rs=1>

EH Misc Fees

- Fees that apply to all programs
 - Appeal Procedure
 - Hourly charge
 - HOO fee
 - Document copies
 - Refund processing fee
 - Check return fee



<https://thumbs.dreamstime.com/b/cashier-customer-woman-money-paying-counter-service-cashier-customer-woman-money-paying-counter-107866453.jpg>

Food Safety

- Food Service Establishment Annual Permit Fees
 - Bakery
 - Bed and Breakfast
 - Campgrounds
 - Caterer
 - Catering endorsement



<https://static.vecteezy.com/system/resources/previews/000/104/382/original/free-bakery-stand-vector.png>

Food Safety

- Food Service Establishment Annual Permit Fees
 - Low Risk
 - Medium and High Risk
 - 0-50 seats
 - 51-150 seats
 - Over 151 seats



https://media.istockphoto.com/vectors/restaurant-vector-id533063716?k=6&m=533063716&s=612x612&w=0&h=Z92_FpqRBG08b1McNIGHs0cUcp_73queCJUme911vs=

Food Safety

- Food Service Establishment Annual Permit Fees
 - Food with Onsite
 - Food worker cards
 - Mobile Food Vehicle



<https://static.vecteezy.com/system/resources/previews/000/209/160/original/food-truck-illustration-vector.jpg>

Food Safety

- Food Service Establishment Plan Review
 - Tap room / tasting room / vending machine
 - General
 - Change of ownership
 - HACCP review
 - Remodel / plan revision
 - Consultation



<https://www.restaurantmagazine.com/wp-content/uploads/2014/07/Restaurant-Vendors-Discover-Leads-for-New-Restaurants-Opening-Soon.jpg>

Food Safety

- Reinspection and Reinstatement
 - Office Conference
 - HOO fee
 - Reinspection



<https://icon-library.com/images/enforcement-icon/enforcement-icon-3.jpg>

Food Safety

- School Food Service
 - School kitchens
 - Concessions stands



<https://static.vecteezy.com/system/resources/previews/000/672/296/original/outside-of-school-building-vector.jpg>

Food Safety

- Temporary Food Permits
 - Low, Medium High Risk
 - Late fee
 - Farmer's markets
 - Blanket event
 - Food Demonstration



<https://dehayf5mhw1h7.cloudfront.net/wp-content/uploads/sites/1318/2020/06/07162012/state-fair-food.jpg>

Food Safety

- Vending Machine annual permit



<https://www.bitgab.com/uploads/1595983404-vending-machine-1595983404.jpg>



Land Use

- Alteration
- Building Clearance
- Composting Toilet



https://www.rdn.bc.ca/sites/default/files/inline-images/Septic-System_0.jpg

Land Use

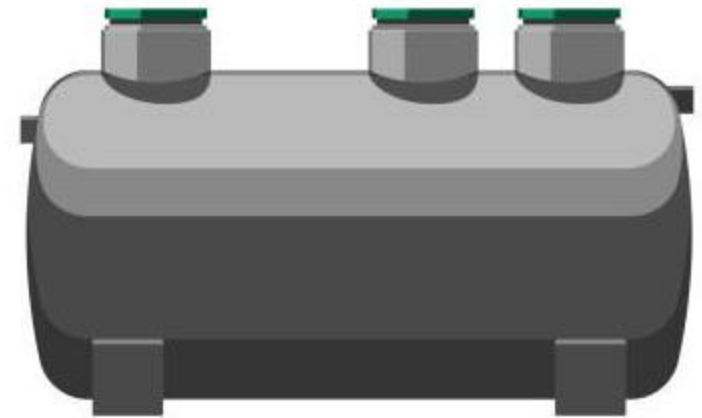
- Contractor Certification
 - Installer
 - M&M Inspector
 - Pumper
 - Examination
 - Late Fee



<https://th.bing.com/th/id/R.cbe8751b8913ef31ec8eddc660a66d78?rik=4PLTucTw5RWDsg&riu=http%3a%2f%2fwww.ourhousejourney.com>

Land Use

- Holding Tanks
 - Review
 - Permit
 - Annual monitoring
 - Late Fee



https://media.istockphoto.com/id/1188403266/vector/septic-tank.jpg?s=612x612&w=0&k=20&c=TkOnibZ_RMZv9XkG45hGYv68qlle0WDJTp8VigKc4EM=

Land Use

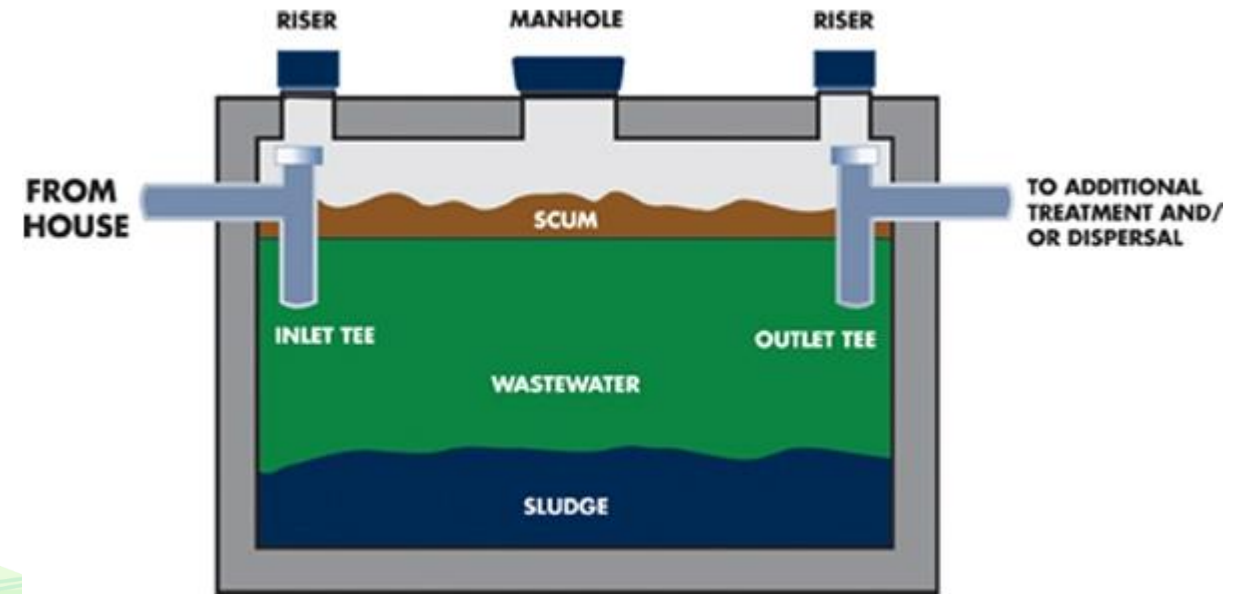
- Onsite Sewage Dispersal System Review Fees
 - Community System
 - Gravity Distribution
 - Pressure Distribution
 - All Other
 - Expedited fees are 1.5x regular fee



<https://bethanyontario.files.wordpress.com/2015/06/septic-system-graphic.jpg>

Land Use

- Operation Check
- Permit for OSS
- Redesign / Resubmittal
- Renewal



<https://th.bing.com/th/id/R.cd29f086188708f4d79d67f4919e0fc5?rik=jUDyT2hjqlHoOA&riu=http%3a%2f%2fclipartmag.com%2fimage%2fcesspool-drawing-25.jpg>

Land Use

- Repairs and replacements
- M&M Reports
- Pumper Reports



gg86664878 GoGraph.com

Land Use

- Soil Survey
- Subdivisions
- Vault Privy



https://motionarray.imgix.net/preview-103331-CsuC5XIn09-high_0004.jpg

Land Use - Water

- Individual Water System Treatment Process
- Sanitary Survey
- Well Site Review



www.commonweeder.com%2fwp-content%2fuploads%2f2009%2f10%2fwater-drilled-wellhead.jpg



Safe Environments

- Group camps
 - Plan review
 - Annual permits



<https://th.bing.com/th/id/R.43ded8570d9f0e546b3ba2ea7a70fa09?rik=jLx86pblp74lw&riu=http%3a%2f%2fsurejob.in%2fwp-content%2fuploads%2f2017%2f04%2fSummer-Camp-1.jpg>

Safe Environments

- Illegal Drug Manufacturing
 - Work plan review
 - Enforcement
 - Inspections



<https://th.bing.com/th/id/OIP.yF8ZGpJoTbNYiquqKe2bqwHaFb?pid=ImgDet&rs=1>

Safe Environments

- School Safety
 - Inspections
 - Plan Review



www.lydig.com%2fwp-content%2fuploads%2f2015%2f12%2fSHS_01-1200x589.jpg&ehk=9uC1fNP%2bejTWe0g6nmV5YL%2fdwvQxMarMQxECCTeL7c%3d&risl=&pid=ImgRaw&r=0



Solid Waste

- Permits and Plan Review
 - Closure or closed landfill
 - Composting facility
 - Conditionally Exempt sites
 - Energy Recovery and Incineration
 - Inert Waste
 - Intermediate facilities
 - Land Application
- Limited purpose
- Moderate Risk
- Municipal
- Piles
- Surface Impoundment and Tanks
- Waste Tire

Solid Waste

- Snohomish County Facilities
 - Revenue Sharing Agreement with Public Works



www.greenlivingbees.com%2fwp-content%2fuploads%2f2013%2f10%2fdumping-trash.jpg



Vital Records

- Birth Certificates
 - Certified and informal, stillborn
 - Fees set by State



Atlantablackstar.com

Vital Records

- Death Certificates
 - Fees set by state
 - Certified and informal
 - Additional copies
 - Short



Vital Records

- EDRS fee
- VitalChek fee online and kiosk
- Identity verification
- Data Sharing



https://refundtalk.com/wp-content/uploads/2017/02/id_verified.jpg



WHAT'S
NEXT?

- Public Hearing
- Vote by electeds
- Insertion into Board of Health code



Questions?

Ragina Gray
Environmental Health Division Director
425-339-8769
ragina.gray@co.snohomish.wa.us

PUBLIC HEALTH
always working for a safer & healthier
SNOHOMISH COUNTY

SNOHOMISH COUNTY ENVIRONMENTAL HEALTH FOOD SAFETY FEE SCHEDULE

Effective November 1, 2023

| TITLE | FEE | DESCRIPTION |
|--|----------|---|
| FOOD SERVICE ESTABLISHMENT PERMIT FEES | | Permits expire annually on the last day of the month that is 12 full months after date of initial permit issuance. Permits are non-transferable. Change of ownership requires, at a minimum, payment of annual operating permit fee and plan review fee. Additional permits maybe prorated to correspond with existing permit expiration dates for each facility. |
| LATE CHARGE FOR RENEWAL OF ANNUAL PERMITS | \$335.00 | Additional charge if annual permit renewal fee has not been received by the Health Department by 5 p.m. on the last business day that the permit is valid. |
| Expedited Review Fee: Varies by Application Type | Varies | Additional fee equal to 50% of the standard application review fee. Available for the following submittals: Tap Room / Tasting Room Plan Review, General Plan Review. May apply to additional Environmental Health fees as approved by the division director on a case-by-case basis. Expedited reviews are available at staff discretion as resources allow and may be declined. |
| BAKERY | | |
| Establishments Selling Baked Goods ONLY | \$420.00 | Annual Permit Fee |
| BED AND BREAKFASTS | | |
| Bed and Breakfast | \$420.00 | Annual Permit Fee |
| CAMPGROUNDS / PARKS – FOOD SERVICE | | |
| a) Food Service - All Year (Valid June 1 through May 31) | | **USE GENERAL FOOD FEES |
| b) Food Service - Seasonal (No more than six consecutive months) | \$440.00 | Seasonal Permit Fee |
| CATERER (All Caterers Will Be Permitted Separately) | | |
| a) Low Risk | \$420.00 | Annual Permit Fee |
| b) Medium Risk | \$630.00 | |
| c) High Risk | \$870.00 | |
| CATERING ENDORSEMENT | | |
| For Permitted Food Service Establishments That ALSO Offer Catering Services. | \$215.00 | Annual Permit Fee (In Addition to General Food Fee) |

| FOOD SERVICE ESTABLISHMENT PERMIT FEES | | |
|---|------------|--|
| GENERAL FOOD | | |
| Includes but not limited to restaurant (with or without lounge), concession stand, mobile food vehicle, food stand concession, commissary, bakery, caterer, grocery with multiple permits, limited grocery with or without food prep, private club, retail meat dealer, retail fish dealer, tavern with or without food prep, year-round campground/park food service. Additional onsite sewage system review fee and catering endorsement fee may apply. | | |
| LOW RISK PERMIT (All Low Risk Food Service Establishments) | \$420.00 | Annual Permit Fee |
| 0 - 50 SEATS: | | Annual Permit Fees |
| a) Medium Risk | \$630.00 | |
| b) High Risk | \$870.00 | |
| 51 - 150 SEATS: | | Annual Permit Fees |
| a) Medium Risk | \$730.00 | |
| b) High Risk | \$1,005.00 | |
| OVER 151 SEATS: | | Annual Permit Fees |
| a) Medium Risk | \$800.00 | |
| b) High Risk | \$1,090.00 | |
| FOOD SERVICE OPERATING WITHOUT A PERMIT | | |
| Double Prescribed Permit Fee | ** | **Double Permit Fee |
| FOOD SERVICE WITH ONSITE SEWAGE DISPOSAL REVIEW | | |
| Review | \$215.00 | Fee Charged at Time of Annual Food Service Permit Fee. Paid review fee and current Onsite Sewage Monitoring and Maintenance report are required prior to annual permit issuance. |
| FOOD WORKER CARDS | | |
| a) 2-Year Initial or 3-Year Renewal | \$10.00 | Food worker card fees are set by State at \$10.00 |
| b) Replacement For Lost Card | \$10.00 | |
| MOBILE FOOD VEHICLE (All Mobile Food Vehicles Will Be Permitted Separately) | | |
| a) Low Risk | \$420.00 | Annual Permit Fees |
| b) Medium Risk | \$630.00 | Annual Permit Fees |
| c) High Risk | \$870.00 | Annual Permit Fees |
| PLAN REVIEWS | | |
| a) Tap Room / Tasting Room / Vending Machine | \$215.00 | Plan Review & Pre-Operation |
| b) Tap Room / Tasting Room / Vending Machine - Expedited Review Fee | \$325.00 | Expedited Plan Review & Pre- Operation Inspection Fee |
| c) General Plan Review | \$855.00 | Plan Review & Pre-Operation Inspection Fee |
| d) Multiple Permit Facility (Additional Permits) | \$215.00 | Each Additional Permit |
| e) General Plan Review – Expedited Review Fee | \$1,290.00 | Expedited Plan Review & Pre- Operation Inspection Fee |
| f) Change of Ownership | \$430.00 | Charged with the addition or subtraction of owner name or change in UBI number. |
| g) Variance without Hazard Critical Control Point (HACCP) Review | \$215.00 | For new plan reviews, charged in addition to plan review fee. |

| PLAN REVIEWS - Continued | | |
|--|------------|---|
| h) Hazard Analysis Critical Control Point (HACCP) Review (When Required by WAC 246-215 for Menu Items) with or without variance. | \$2,100.00 | For new plan reviews, charged in addition to plan review fee. Lab Fees are additional. HACCP Review is required for some types of food or food processing methods. |
| i) Remodel / Plan Revision | \$215.00 | For Alteration to Existing Establishment or Revision of Approved Plan. Includes Pre-Operation Inspection. |
| j) Plan Review Consultation (On and/or Offsite) | \$215.00 | |
| REINSPECTION AND REINSTATEMENT FEES | | |
| a) Office Conference per III.B.3, Enforcement Procedures (Includes Reinspection) | \$360.00 | Reinspection and Office Conference Fee |
| b) Reinstatement Following Closure by Health Officer's Order | \$430.00 | Reinstatement Fee |
| c) Food Service Establishment Reinspection | \$215.00 | Reinspection Fee. Applies to All Food Service Operations. |
| SCHOOL – FOOD SERVICE | | |
| a) Central Kitchen, No Direct Food Service (Valid Sept 1 through Aug 31) | \$675.00 | Annual Permit Fee |
| b) Satellite Kitchen With Food Service (Valid Sept 1 through Aug 31) | \$430.00 | Annual Permit Fee |
| c) School Kitchen With Food Service (Valid Sept 1 through Aug 31) | \$510.00 | Annual Permit Fee |
| | | New permits may be prorated to correspond with existing permit expiration dates. |
| SCHOOL / YOUTH ACTIVITY CONCESSION STAND | | |
| a) Low Risk | \$165.00 | Annual Permit Fees |
| b) Medium Risk | \$270.00 | Annual Permit Fees |
| c) High Risk | \$385.00 | Annual Permit Fees |
| TEMPORARY FOOD SERVICES | | |
| <u>LATE FEE CHARGE TEMPORARY FOOD SERVICES OPERATING WITHOUT A PERMIT</u> | \$65.00 | Non-refundable fee charged if the application is received between 1 and 13 days prior to the event. Payments received online after 9 p.m. PST will be received the following business day. |
| Temporary Food Services Operating Without a Permit | ** | **Double Permit Fee |

| TEMPORARY FOOD SERVICES - Continued | | |
|---|----------|---|
| <u>LOW RISK</u> | | |
| a) Single Event - Must Meet WAC 246-215-01115 | \$90.00 | Event Permit Fee |
| b) Recurring Event - WAC 246-215-01115 Farmer's Markets only | \$180.00 | Seasonal Temporary Permit Fee associated with a Farmers Market, defined as five or more Washington growers who assemble at a defined physical location for the purpose of selling products that they have grown, raised, and may have processed, directly to consumers. |
| c) Recurring Low Risk – Additional Location, Farmers Markets only | \$90.00 | |
| <u>MEDIUM RISK</u> | | |
| a) Single Event – Must Meet WAC 246-215-01115 | \$130.00 | Event Permit Fee |
| b) Recurring Event - WAC 246-215-01115 Farmer's Markets only | \$270.00 | Seasonal Temporary Permit Fee associated with a Farmers Market, defined as five or more Washington growers who assemble at a defined physical location for the purpose of selling products that they have grown, raised, and may have processed, directly to consumers. |
| c) Recurring Medium Risk - Additional Location, Farmers Markets only | \$140.00 | |
| <u>HIGH RISK</u> | | |
| a) Single Event – Must Meet WAC 246-215-01115 | \$235.00 | Event Permit Fee |
| b) Recurring Event - WAC 246-215-01115 Farmer's Markets only | \$620.00 | Seasonal Temporary Permit Fee associated with a Farmers Market, defined as five or more Washington growers who assemble at a defined physical location for the purpose of selling products that they have grown, raised, and may have processed, directly to consumers. |
| c) Recurring High Risk - Additional Location, Farmers Markets only | \$310.00 | |
| <u>BLANKET EVENT PERMIT</u> | \$590.00 | Judged Cooking Events |
| <u>FOOD DEMONSTRATOR PERMIT (Non-Potentially Hazardous Foods Only)</u> | | |
| a) Single Event | \$65.00 | Event Permit Fee |
| b) Recurring Event - Must Meet WAC 246-215-01115 | \$130.00 | Annual Permit Fee |
| <u>EXEMPT FROM PERMIT</u> | \$55.00 | Only Processing Fee Required |
| <u>VENDING MACHINES</u> | | |
| With Potentially Hazardous Foods – Risk Level – Low | \$215.00 | Annual Permit Fee |

SNOHOMISH COUNTY ENVIRONMENTAL HEALTH LAND USE FEE SCHEDULE

Effective November 1, 2023

| TITLE | FEE | DESCRIPTION |
|--|----------|---|
| Expedited Review Fee Varies by Application Type | Varies | Additional fee equal to 50% of the standard application review fee. Available for the following submittals: New Onsite Sewage Disposal System Applications and Well Site Reviews. As shown below. May apply to additional Environmental Health fees as approved by the division director on a case-by-case basis. Expedited reviews are available at staff discretion as resources allow and may be declined. |
| ALTERATION (Licensed Designer Submittal) | | |
| a) Absorption System and/or Approved Reserve Area | \$435.00 | Fee Includes Application Review & Permit |
| b) Complete System | ** | **USE NEW ON-SITE SEWAGE DISPERSAL APPLICATION FEE |
| c) Tank Only | \$350.00 | Fee Includes Application Review & Permit |
| d) As-Built Submittal / Reserve Area Designation – Concurrent with Building Clearance Review | \$315.00 | |
| BUILDING CLEARANCE (For Building Permit) | | |
| a) Review | \$215.00 | Upon request by Snohomish County Planning and Development Services |
| b) Expedited Review | \$215.00 | |
| c) GMA Drinking Water Determination | \$140.00 | Upon request by Snohomish County Planning and Development Services |
| d) Preliminary Clearance Review | No Fee | |
| e) Other Agency Clearance Review | \$215.00 | Upon request by Other Agency to review |
| COMPOSTING TOILET Non Residential (No Drinking Water Under Pressure to the Site) | | |
| a) Review and Permit (DOH Approved Listing) | \$350.00 | |
| b) Annual Monitoring (per site) | \$215.00 | |

| CONTRACTORS CERTIFICATION - INSTALLERS, M & M SPECIALISTS OR PUMPERS | | |
|--|------------|--|
| a) Installer Annual Certificate | \$460.00 | PER CERTIFICATION |
| b) Monitor & Maintenance Specialist Annual Certificate | \$460.00 | PER CERTIFICATION |
| c) Pumper Annual Certificate | \$460.00 | PER CERTIFICATION |
| d) Examination (INSTALLERS or PUMPERS ONLY) | \$345.00 | |
| e) Late Fee Charge | \$335.00 | Late Fee Charged for Certificate Renewed March 1st through March 31st. Beginning April 1st, reexamination is required along with annual certification fee. |
| FOOD SERVICE WITH ON-SITE SEWAGE SYSTEM REVIEW | | |
| Review | \$215.00 | Fee Charged at Time of Annual Food Service Permit Fee. Paid review fee and current Onsite Sewage Monitoring and Maintenance report are required prior to annual permit issuance. |
| HOLDING TANK | | |
| a) Preliminary Review | \$1,010.00 | |
| b) Permit Fee | \$580.00 | |
| c) Annual Monitoring Fee | \$430.00 | |
| d) Late Fee | \$335.00 | Late fee for annual monitoring fee not paid by January 1st |
| LAND USE REVIEWS Includes, but not limited to, Boundary Line Adjustment, Conditional Use, Binding Site Plan, Administrative Site Plan, Grading Permit, Commercial Building Permit | | |
| Review | \$215.00 | |
| ON-SITE SEWAGE DISPERSAL SYSTEMS | | |
| <u>COMMUNITY SYSTEM</u> | | |
| a) Application Review | \$1,965.00 | Fee Includes Site Review & Permit Per Each Service Connection |
| b) Permit | \$695.00 | |
| <u>GRAVITY DISTRIBUTION SYSTEM</u> Approval Valid for 2 Years | \$1,010.00 | Application Review Fee |
| <u>GRAVITY DISTRIBUTION SYSTEM - EXPEDITED REVIEW FEE</u> | \$1,515.00 | Expedited Application Review Fee |
| <u>PRESSURE DISTRIBUTION SYSTEM</u> Approval Valid for 2 Years | \$1,010.00 | Application Review Fee |
| <u>PRESSURE DISTRIBUTION SYSTEM - EXPEDITED REVIEW FEE</u> | \$1,515.00 | Expedited Application Review Fee |
| <u>ALL OTHER SYSTEMS (Approved by DOH)</u> Approval Valid for 2 Years | \$1,150.00 | Application Review Fee |
| <u>ALL OTHER SYSTEMS - EXPEDITED REVIEW FEE</u> | \$1,730.00 | Expedited Application Review Fee |

| ON-SITE SEWAGE DISPERSAL SYSTEMS – Continued | | |
|--|------------------------|---|
| PRODUCT DEVELOPMENT SYSTEM Approval Valid for 2 Years | \$1,270.00 \$215.00 | Base Plus: Each Additional Hour Over 6 Hours |
| SYSTEMS OVER 1000 GALLONS PER DAY Approval Valid for 2 Years | ** | **USE DOUBLE OSS REVIEW FEE |
| SYSTEMS OVER 1000 GALLONS PER DAY - EXPEDITED REVIEW FEE | ** | **USE DOUBLE OSS REVIEW FEE PLUS 50% APPLICATION REVIEW FEE |
| OPERATION CHECK (Request for Report on) | | |
| a) On-Site Sewage System Only | \$405.00 | Includes “Short List” Inorganics & Bacteriological |
| b) On-Site Sewage System and Drinking Water System | \$920.00 | |
| c) Drinking Water System Only | \$580.00 | Includes “Short List” Inorganics & Bacteriological |
| d) Re-Inspection | \$215.00 | |
| PERMIT FOR ON-SITE SEWAGE DISPERSAL SYSTEM | | |
| Permit | \$345.00 | All System Types Except Community |
| REDESIGN / RESUBMITTAL | | |
| Resubmittal | \$350.00 | Subsequent resubmittal of previously disapproved application or change in dispersal area or treatment component |
| RENEWAL (Within 30 Days of Expiration) | | |
| Approval Valid for 2 Years | \$385.00 | No Redesigns |
| REPAIR (Licensed Designer Submittal) | | |
| a) Single Family Residence | \$350.00 | Fee Includes Application Review & Permit |
| b) Redesign to Repair | NO FEE | No fee for a redesign to a repair |
| c) All Other Repairs | ** | **USE NEW ON-SITE SEWAGE DISPERSAL APPLICATION FEE, Permit Fee Not Required. |
| REPLACEMENT | | |
| | ** | **USE NEW ON-SITE SEWAGE DISPERSAL APPLICATION FEE |
| REPORT SUBMITTAL | | |
| Monitoring & Maintenance Report Submittal | \$37.00 | Paid Via OnlineRME |
| Septic Tank Pumping Report Submittal | \$10.50 | Paid Via OnlineRME |
| SOIL SURVEY | | |
| Optional Service Performed at Health District Discretion | \$750.00 \$210.00 | Base Fee Plus: Per Acre Fee |

| SUBDIVISION OF PROPERTY (PLATTING) | | |
|--|----------|---|
| <u>SUBDIVISION – (5 Lots or More)</u> | | |
| a) Preliminary Soil Survey | \$750.00 | Base Fee Plus Per Lot Fee |
| b) Preliminary Lot Fee | \$170.00 | Per Lot |
| c) Redesign | \$215.00 | Base Fee Plus : |
| Hourly Charge Above Base Time Fee | \$215.00 | Per Hour for Each Additional Hour Over 1 |
| d) Final Plat Review Fee - On-Site Sewage System Subdivision | \$145.00 | |
| <u>SHORT SUBDIVISION – METHOD A (4 Lots or Less)</u> | | |
| a) Preliminary Soil Survey | \$750.00 | Base Fee Plus Per Lot Fee |
| b) Preliminary Lot Fee | \$170.00 | Per Lot |
| c) Final Short Subdivision Review Fee | \$140.00 | Per Lot |
| <u>SHORT SUBDIVISION – METHOD B (4 Lots or Less)</u> | | |
| a) Final Short Subdivision Review Fee | \$140.00 | Per Lot |
| VAULT PRIVY | | |
| a) Review and Permit | \$350.00 | |
| b) Additional Privy (Same Site) | \$150.00 | |
| c) Annual Monitoring (Per Site) | \$215.00 | |
| WAIVER REVIEW | | |
| Review | \$215.00 | Base Fee Plus : |
| | \$215.00 | Per Hour for Each Additional Hour Over 1 |
| WATER | | |
| <u>INDIVIDUAL WATER SYSTEM TREATMENT PROCESS</u> | \$405.00 | |
| <u>SANITARY SURVEY</u> | \$840.00 | Amount set by Washington State Department of Health. Includes Arsenic, Nitrate and Bacteriological Samples |
| <u>WELL SITE REVIEW</u> | | |
| <u>Individual Water Supply Site Inspection</u> | | |
| a) Individual / GMA (Approval valid for 2 Years) | \$340.00 | Concurrent With Onsite Application |
| b) Expedited Individual / GMA | \$505.00 | Expedited Concurrent With Onsite Application. Must be submitted with Expedited OSS Application. Approval valid for 2 years. |
| c) Individual / GMA (Approval valid for 2 Years) | \$475.00 | Non-Concurrent Submittal |
| d) Expedited Individual / GMA | \$710.00 | Expedited Non-Concurrent Submittal. Approval valid for 2 years. |
| e) Renewal | \$215.00 | Within 30 Days of Expiration. Approval valid for 2 years. |
| <u>Request For Review: Individual Water Supply</u> | NO FEE | Application must be submitted with Bacteriological, Short List, and Well Log |

SNOHOMISH COUNTY ENVIRONMENTAL HEALTH SAFE ENVIRONMENTS FEE SCHEDULE

Effective November 1, 2023

| TITLE | FEE | DESCRIPTION |
|---|------------|---|
| Expedited Review Fee Varies by Application Type | Varies | Additional fee equal to 50% of the standard application review fee. Available for the following submittals: Safe Environments Program: Plan Reviews for Schools, Camps, Pools, Spas and Float Pod Facilities. May apply to additional Environmental Health fees as approved by the division director on a case-by-case basis. Expedited reviews are available at staff discretion as resources allow and may be declined. |
| LATE CHARGE / RENEWAL OF ANNUAL PERMITS EXPIRING MAY 31 (Group Camp, Pools/Spas) | \$335.00 | Additional charge if annual permit renewal fee and completed Health District application has not been received by Health District by the last day of the following May. |
| LESS THAN FULL YEAR PERMIT / FOR PERMITS EXPIRING MAY 31 | | Permits issued on or after the preceding December 1 are charged one-half of annual permit fee. |
| GROUP CAMP | | |
| a) Group Camp Permit (valid June 1st to May 31st) | \$360.00 | Annual Permit Fee |
| b) Group Camp Plan Review | \$555.00 | |
| c) Group Camp Plan Review – Expedited Review | \$830.00 | |
| ILLEGAL DRUG MANUFACTURING OR STORAGE SITES RESPONSE | | |
| NOTE: These fees do not include civil penalties for violations of Snohomish Health District Sanitary Code, 2.60.090 | | |
| <u>APPEAL PROCEDURE For Illegal Drug Sites Only</u> | | |
| a) Step One | NO FEE | |
| b) Step Two | \$1,385.00 | Fee Refundable if Appellant Prevails |
| <u>DECONTAMINATION WORKPLAN REVIEW</u> | | |
| a) Stationary Property | \$1,075.00 | Base Fee Plus: |
| | \$215.00 | Per Hour Fee for Additional Hours Over 5 |
| b) Vehicle | \$645.00 | Base Fee Plus: |
| | \$215.00 | Per Hour Fee for Additional Hours Over 3 |

| ILLEGAL DRUG MANUFACTURING OR STORAGE SITES RESPONSE - Continued | | |
|--|------------|--|
| <u>ENFORCEMENT</u> | \$215.00 | Per Hour Plus Other Costs Including but Not Limited to Analytical Fees, Hearing Examiners Fees, Contractor Costs of Barricading or Otherwise Securing Contaminated Properties and Contractor Fees. |
| <u>INSPECTION OF SUSPECTED CONTAMINATED PROPERTY</u> | \$430.00 | Base Fee Plus Analytical Sample Costs Plus: |
| (Requested by Property Owner) | \$215.00 | Per Hour Fee for Additional Hours Over 2 |
| SCHOOL SAFETY | | |
| <u>INSPECTIONS</u> | | |
| a) School Safety Inspection | \$215.00 | Per Hour |
| b) School Construction Pre-Occupancy Inspection | \$215.00 | Per Hour |
| <u>PLAN REVIEW</u> | | |
| a) School Construction Plan Review | \$1,015.00 | Plus: Add Food Establishment Plan Review Fee if Review Includes Kitchen (see Food Section) And Add Pool Plan Review if Review Includes School Pool. |
| b) School Construction Plan Review – Expedited | \$1,525.00 | |
| c) Portable Classroom Plan Review | \$315.00 | |
| d) Portable Classroom Plan Review – Expedited | \$480.00 | |
| e) Addition/Remodel of Existing School Building | \$645.00 | |
| f) School Site Review | NO FEE | |
| WATER RECREATIONAL FACILITIES (valid June 1 to May 31) | | |
| <u>FLOAT POD FACILITY SAFETY INSPECTION</u> | | |
| (No Water Quality Testing) | | |
| a) First Facility (Float Pod Unit) | \$540.00 | |
| b) Each Additional Facility (Float Pod Unit) | \$120.00 | |
| <u>OFFICE CONFERENCE</u> | | |
| | \$360.00 | |
| <u>POOL PERMITS (Swimming, Spa, Wading & Spray)</u> | | |
| a) Year Round – Open 6 Months or More | \$810.00 | Annual Permit Fee for FIRST Pool |
| b) Each Additional Year Round Pool | \$540.00 | Fee for Each Additional Year Round Pool |
| c) Seasonal – Open Less Than 6 Months | \$540.00 | Annual Permit Fee for FIRST Pool |
| d) Each Additional Seasonal Pool | \$335.00 | Fee for Each Additional Seasonal Pool |

WATER RECREATIONAL FACILITIES (valid June 1 to May 31) – Continued**POOL PLAN REVIEW**

- | | |
|---|------------|
| a) Swimming Pools - 50,000 Gallons or More in Volume | \$1,075.00 |
| b) Swimming Pools - Less Than 50,000 Gallons in Volume | \$810.00 |
| c) Swimming Pools, Expedited Review - 50,000 Gallons or More in Volume | \$1,610.00 |
| d) Swimming Pools, Expedited Review - Less Than 50,000 Gallons in Volume | \$1,215.00 |
| e) Spa Pools | \$405.00 |
| f) Spa Pools – Expedited Review | \$605.00 |
| g) Spray Pools | \$405.00 |
| h) Spray Pools – Expedited Review | \$605.00 |
| i) Wading Pools | \$405.00 |
| j) Wading Pools – Expedited Review | \$605.00 |
| k) Pre-Occupancy Inspection | \$275.00 |
| l) Plan Revision - (For Alteration to Existing Facility or Revision of Approved Plan) | \$215.00 |

| | |
|--|----------|
| <u>RE-INSPECTION / RE-OPENING FOLLOWING CLOSURE</u> | \$215.00 |
|--|----------|

SNOHOMISH COUNTY ENVIRONMENTAL HEALTH SOLID WASTE FEE SCHEDULE

Effective November 1, 2023

| TITLE | FEE | DESCRIPTION |
|--|------------|---|
| LESS THAN FULL YEAR PERMIT / FOR PERMITS EXPIRING JUNE 30 | | Permits issued on or after the preceding January 1 are charged one-half of annual permit fee. |
| LATE CHARGE / RENEWAL OF ANNUAL PERMITS | \$335.00 | Additional charge if annual permit renewal fee has not been received by the Health District by the end of the last day that the permit is valid. |
| MULTIPLE SOLID WASTE & TOXIC PERMITS | | Fees for multiple Solid Waste & Toxic Facilities at one location are charged the highest permit fee plus 2/3 the applicable permit fee for each additional permitted operation. |
| OTHER METHODS OF SOLID WASTE HANDLING | Varies | The Health Officer is authorized to establish fees on an individual basis for any Environmental Health Division operations which do not precisely conform to any of the defined categories. Such fees to be determined by the Health Officer to be the closest related fee. |
| PERMITS FOR SOLID WASTE SITES (Valid July 1 to June 30) | | |
| <u>CLOSURE (ENGAGED IN) or CLOSED (PRIOR TO 2/10/2053) LANDFILL</u> | \$645.00 | Includes Abandoned Landfill Permit Review and Inspection |
| <u>COMPOSTING FACILITY</u> | | |
| a) 30,000 Tons or Less (Incoming Raw Material) | \$4,070.00 | Base Fee Plus: |
| | \$215.00 | Per Hour For Each Additional Hour Over 19 |
| b) Over 30,000 Tons (Incoming Raw Material) | \$5,575.00 | Base Fee Plus: |
| | \$215.00 | Per Hour For Each Additional Hour Over 26 |

| PERMITS FOR SOLID WASTE SITES (Valid July 1 to June 30) – Continued | | |
|--|------------------------|--|
| <u>CONDITIONALLY EXEMPT SITES & FACILITIES</u> | | |
| a) New Sites and Facilities | \$645.00 | |
| b) Existing Sites and Facilities | \$430.00 | |
| <u>ENERGY RECOVERY AND INCINERATION</u> | | |
| a) Mixed Municipal Waste | \$6.00 | Per Ton, Annual Permit Fee |
| b) Demolition / Industrial Waste | \$4,070.00 \$215.00 | Annual Permit Base Fee Plus: Per Hour For Each Additional Hour Over 19 |
| <u>INERT WASTE LANDFILL</u> | \$4,070.00 \$215.00 | Annual Permit Base Fee Plus: Per Hour For Each Additional Hour Over 19 |
| <u>INTERMEDIATE SOLID WASTE HANDLING FACILITIES</u> (Includes Transfer Station, Baling and Compaction Facility, Drop Box) | \$4,070.00 \$215.00 | Annual Permit Base Fee Plus: Per Hour For Each Additional Hour Over 19 |
| <u>LAND APPLICATION</u> | \$4,070.00 \$215.00 | Annual Permit Base Fee Plus: Per Hour For Each Additional Hour Over 19 |
| <u>LIMITED PURPOSE LANDFILL</u> (i.e. Contaminated Soil, Wood Waste Landfill) | \$4,070.00 \$215.00 | Annual Permit Base Fee Plus: Per Hour For Each Additional Hour Over 19 |
| <u>MODERATE RISK WASTE</u> (For Facilities Not Operated By Snohomish County) | | |
| a) Fixed | \$430.00 | Annual Permit Fee |
| b) Limited | \$215.00 | Annual Permit Fee |
| <u>MUNICIPAL SOLID WASTE LANDFILL</u> | \$6.00 | Per Ton, Annual Permit Fee |
| <u>PILES (For Storage and Treatment)</u> (i.e. Solid Waste, Road Sweeping) | \$4,070.00 \$215.00 | Annual Permit Base Fee Plus: Per Hour For Each Additional Hour Over 19 |
| <u>SNOHOMISH COUNTY FACILITIES</u> | ** | **System-Wide Negotiated Fee |
| a) Permit / Municipal Solid Waste Landfill | | |
| b) Permit/Transfer Station | | |
| c) Permit/Drop Box | | |
| d) Plan Review | | |
| e) Moderate Risk Waste | | |
| f) Waste Screening Determination | | |
| g) Other Activity (Closed Landfills) | | |
| <u>SURFACE IMPOUNDMENT & TANKS</u> | \$4,070.00 | Annual Permit Fee |
| <u>WASTE TIRE STORAGE</u> | \$2,135.00 | Annual Permit Fee |

| PLAN REVIEW | | |
|---|------------------------|---|
| Application Review (Applies to Initial Permit Application) | \$2,575.00 \$215.00 | Base Fee Plus: Per Hour For Each Additional Hour Over 11 , Plus Costs For Publishing SEPA Notices in Newspaper. |
| REVISED OR AMENDED PLAN REVIEW | | |
| Application Review (Applies to Approved Plans & Permitted Sites/Facilities) | \$645.00 \$215.00 | Base Fee Plus: Per Hour For Each Additional Hour Over 3 , Plus Costs For Publishing SEPA Notices in Newspaper. |
| WASTE SCREENING DETERMINATION | | |
| Application Review | \$215.00 \$215.00 | Base Fee Plus: Per Hour For Each Additional Hour Over 1 |

SNOHOMISH COUNTY ENVIRONMENTAL HEALTH VITAL RECORDS FEE SCHEDULE

Effective November 1, 2023

| Title | FEE | Description |
|---|---------|---|
| All fees not designated with an asterisk (*) are set by the State of Washington as per RCW 70.58A.560 Chapter 70.58A RCW: VITAL STATISTICS. | | |
| Birth Certificates | | |
| a) Certified Birth Certificate | \$25.00 | per copy |
| b) Informational Birth Certificate | \$25.00 | per copy |
| c) Stillborn Birth Certificate | \$25.00 | per copy |
| Death Certificates | | |
| a) Certified Death Certificate – 1st copy | \$25.00 | per copy |
| b) Certified Death Certificate – Additional copies | \$25.00 | per copy |
| c) Certified Death Certificate – Reissue, 1st copy | \$10.50 | per copy* |
| d) Certified Death Certificate – Reissue, Additional copies | \$10.50 | per copy* |
| e) Informational Death Certificate | \$25.00 | per copy. This not a certified copy and is printed on plain white paper. |
| f) Short Death Certificate | \$25.00 | Per copy |
| g) Short Death Certificate – additional copies | \$25.00 | Per copy |
| h) Review and file of each Snohomish County Death – Administration Fee (EDRS) | \$15.00 | Per Death record* |
| VITALCHEK | | |
| a) VitalChek Fee - Online | \$15.00 | * |
| b) VitalChek Fee - Kiosk | \$3.50 | Fee set by vendor |
| VITAL RECORDS / Miscellaneous Fees | | |
| a) Over the counter identity verification and record retention fee | \$15.00 | Charged once per customer per order for certificates ordered over the counter and through the mail* |
| b) Postage and Handling | \$2.00 | * |
| c) Notary Fee | \$1.00 | * |
| d) Vital Records Data Sharing | NO FEE | Must have a signed data sharing agreement with SHD, an emailed list will be provided weekly.* |

SNOHOMISH COUNTY ENVIRONMENTAL HEALTH MISCELLANEOUS FEE SCHEDULE

Effective November 1, 2023

| TITLE | FEE | DESCRIPTION |
|--|------------|---|
| <u>APPEAL PROCEDURE</u> | | |
| Fee also applies to appeals to Health District enforcement of RCW 70.160, entitled Presumptively Reasonable Distance. | | |
| a) Step One | NO FEE | |
| b) Step Two | \$1,385.00 | Fee Refundable if Appellant Prevails in Step Two Decision |
| <u>MISCELLANEOUS PERMIT FEES</u> | | |
| The Health Officer is authorized to establish fees on an individual basis for any Environmental Health Division operations which do not precisely conform to any of the defined categories. Such fees to be determined by the Health Officer to be the closest related fee or per hour charge . | \$215.00 | Per Hour |
| <u>HOURLY CHARGE</u> | \$215.00 | Per Hour |
| For Project/Permit/Enforcement Investigations & Reviews. | | |
| <u>ENFORCEMENT FEES</u> | | |
| Reinstatement Following Closure by Health Officer's Order | \$430.00 | Reinstatement Fee |
| <u>RECORD RETRIEVAL</u> | | |
| a) Duplicating | \$0.15 | (Fee Set by RCW) Per Page |
| b) Color Copies | \$0.26 | (Fee Set by RCW) Per Page |
| c) Other (Oversized Doc, Postage, etc.) | Varies | |
| <u>REFUND PROCESSING FEE</u> | \$35.00 | May Be Waived Upon Approval By Division Director |
| <u>SERVICE CHARGE</u> | \$30.00 | Returned Check (Bank Service Charge) |



BOARD OF
HEALTH
STAFF
REPORT ()
AUGUST 8,
2023
INFORMATION
ITEMS

Upcoming Meetings

Background

Upcoming Board of Health meetings:

September 12, 2023
October 10, 2023
November 14, 2023
December 12, 2023

All regular meetings occur on the second Tuesday of the month at 3:00 p.m.