

**FISHERMAN BAY SEWER DISTRICT
SAN JUAN COUNTY, WASHINGTON**

RESOLUTION NO. 2024-12

**ADMINISTRATIVE CODE
AND
OPERATIONS RESOLUTION**

A RESOLUTION of the Board of Commissioners of Fisherman Bay Sewer District, amending, adopting, and restating in its entirety an administrative code regulating the construction and use of public and private sewers and drains, private sewage disposal, the installation and connection of building sewers and septic tank installations and the discharge of waters and wastes into the public sewer system of the District, authorizing connection charges and other fees, providing penalties for violation thereof, and superseding Resolution No. 2024-04 (which adopted the prior administrative code) and all other resolutions inconsistent therewith.

**BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
FISHERMAN BAY SEWER DISTRICT, WASHINGTON,**

that the Administrative Code of the District is hereby amended, adopted and restated in its entirety as follows and District Resolution No. 2024-04 is hereby superseded as well as any other previous resolution of the District that is inconsistent herewith:

ADOPTED at a regular meeting of the Board of Commissioners of Fisherman Bay Sewer District held on the 18th day of December 2024.

ATTEST:

FISHERMAN BAY SEWER DISTRICT

Secretary of Commissioners

Commissioner _____
Board of Chair

Commissioner _____

Commissioner _____

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ARTICLE I
Definition of Terms

Section 1.01. General

Unless the context specifically indicates otherwise, the meaning of terms used in this resolution shall be as set forth in this Article I.

Section 1.02. B.O.D.

"B.O.D." (denoting Biochemical Oxygen Demand) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C., expressed in parts per million by weight.

Section 1.03. Building Drain

"Building Drain" shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building and conveys it to the building sewer.

Section 1.04. Building Sewer

"Building Sewer" (or side sewer) shall mean the extension from the building drain to the septic tank installation.

Section 1.05. District

"District" shall mean Fisherman Bay Sewer District.

Section 1.06. District Clerk

"District Clerk" shall mean the clerk of the Fisherman Bay Sewer District.

Section 1.07. Duplex

"Duplex" shall mean a two-family dwelling, namely, a building containing not more than two kitchens, designed and/or used to house not more than two families living independently of each other and including all necessary household employees of each such family.

Section 1.08. Engineer

"Engineer" shall mean a licensed civil engineer or licensed sewer designer.

Section 1.09. Garbage

"Garbage shall mean solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

Section 1.10. Industrial Wastes

"Industrial Wastes" shall mean the liquid wastes from industrial processes.

Section 1.11. Multiple Dwelling

"Multiple Dwelling" shall mean a multiple family dwelling, namely, a building designed and/or used to house three or more families living independently of each other and including all necessary household employees of each such family; and shall also include trailer parks and trailer courts, and each trailer or stall shall be deemed a separate unit.

Section 1.12. Natural Outlet

"Natural Outlet" shall mean any outlet into a watercourse, pond, ditch, lake, or other body of surface

or ground water.

Section 1.13. Person

"Person" shall mean any individual or firm, company, association, society, corporation, or group.

Section 1.14. pH

"pH" shall mean the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Section 1.15. Public Sewer

"Public Sewer" shall mean a sewer, which is owned or controlled by the District or other public authority.

Section 1.16. Registered Side Sewer Contractor

"Registered Side Sewer Contractor" shall mean any contractor who is duly registered pursuant to the requirements of trust resolution to construct, install, repair, reconstruct, excavate, or connect any building sewer to the public sewers of the District.

Section 1.17. Sanitary Sewer

"Sanitary Sewer" shall mean a sewer, which carries sewage, and into which storm, surface and ground waters are not intentionally admitted.

Section 1.18. Septic Tank Installation

"Septic Tank Installation" shall mean a system including a septic tank or tanks with a discharge assembly that is most usually a pump and pump control system configured to District's specifications and requirements for primary treatment taking into account anticipated flows and reduction of wastewater strength.

Section 1.19. Sewage

"Sewage" shall mean a combination of water-carried wastes from residences, business buildings, institutions, industrial establishments, and other sewer users.

Section 1.20. Sewage Treatment Plant

"Sewage Treatment Plant" shall mean any arrangement of devices and structures used for treating the sewage collected by the District.

Section 1.21. Sewer

"Sewer" shall mean a pipe or conduit for carrying sewage.

Section 1.22. Sewer Stub

"Sewer Stub" shall mean a public sewer constructed by the District to the property line of the lot or parcel being served by the public sewer, and to which building sewer may be connected.

Section 1.23. Standard Participation Contract

"Standard Participation Contract" shall mean the form of contract required by this resolution to be entered into by the owners of properties which are not located within the District as a condition to sewer service from the District.

Section 1.24. Structure

"Structure" shall mean anything constructed or erected, the use of which requires location or attachment to something having location on the ground, including but not limited to trailers and house trailers, but not including fences and walls.

Section 1.25. Superintendent

"Superintendent" shall mean the Superintendent of the District or another person designated by District to fulfill that role if the superintendent is unavailable.

Section 1.26. Suspended Solids

"Suspended Solids" shall mean solids that either float on the surface of, or are in suspension in water, sewage, or other liquids, and which are removable by laboratory filtering.

Section 1.27. Watercourse

"Water course" shall mean a channel in which a flow of water occurs, either continuously or intermittently.

Section 1.28. Shall- May

"Shall" is mandatory; "May" is permissive.

ARTICLE II

Use of Public Sewers Required

Section 2.01. Unlawful Deposit of Waste

It shall be unlawful for any person to place, deposit or permit to be deposited in any unsanitary manner upon public or private property within Fisherman Bay Sewer District, or in any area under the jurisdiction of the District, any human or animal excrement, garbage, or other objectionable waste.

Section 2.02. Treatment of Sewage Required

It shall be unlawful to discharge into any natural outlet within Fisherman Bay Sewer District, or in any area under the jurisdiction of that District, any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with the provision of this resolution.

Section 2.03. Unlawful Sewage Disposal Facilities

Except as hereinafter provided, it shall be unlawful to construct or maintain any privy, privy vault, cesspool, or other facility intended or used for the disposal of sewage in the District.

Section 2.04. Toilet Facilities and Sewer Connection Required -Time and Manner- Repair

The owner of each lot or parcel of real property within an area served by the public sewers of the District, upon which lot or parcel of real property there shall be situated any house, building, or structure for human occupancy, employment, recreation, or other purpose or use abutting on any street, alley, easement, or right-of-way in which there is now located, or may in the future be located, a public sewer of the District, and where the public sewer is within or will be within 200 feet of the property line, and service by such public sewer is available, is hereby required, at his expense, to install suitable toilet facilities therein and to connect such facilities and all other plumbing outlets from such house, building or structure directly with a proper septic tank installation connected with the public sewer, in accordance with the provisions of this resolution.

Such installation and connection must be made within 90 days after the date of mailing or personal service of notice by the Board of Commissioners of the District addressed to the owner of the property to be served notifying such owner to make such connection. All connections to the public sewers of the District shall be made in a permanent and sanitary manner and shall be sufficient to provide primary treatment for all the sewage from the house, building, RV, Trailer and/or structure into the public sewer. Each toilet, sink, stationary washstand, washing machine, dishwasher and other piece or type of equipment having waste fluid including any ADU, RV, or Trailer, shall be connected to the septic tank installation and then to the public sewer and shall pay applicable connection fees per the Master Rate Schedule.

Any RV or Trailer discharging into Fisherman Bay Sewer District lines must be pumped out prior to connection to clean out any chemicals held in its holding tank.

All plumbing outlets from any building RV, Trailer or structure hereafter constructed or made available for human occupation and use for any purpose shall, when required by this section, be connected to a septic tank installation and then to the public sewer of the District before the completion of the construction of such building or structure or before any occupancy or use thereof or (in the event that a public sewer capable of serving that building RV, Trailer or structure had not been completed by the District prior to the construction or occupancy of such building or structure) within thirty days after written notification from the Board of Commissioners of the District, as aforesaid, whichever event first occurs.

Any owner or renter caused damage to a septic tank installation or appurtenance requiring repair shall be made as promptly as possible but no later than thirty days after the date of mailing or personal service of a notice by the Superintendent to the owner of the property served notifying such owner to make such repair. In the event of an emergency, the Superintendent may establish a shorter period of time for the repair to be made or, if the owner cannot be located or does not promptly make such repairs, the District may make the repairs under the procedure of Section 2.05. Owners shall advise the Superintendent of all such repairs. All repair work shall be performed to the satisfaction of the Superintendent.

Section 2.05. Failure to Connect or Repair Building Sewer

If any connection to a public sewer shall not be made within the time and in the manner provided in Section 2.04 of this resolution, the Board of Commissioners may forthwith cause the same to be made. If any needed repair to a building sewer or connection to a public sewer shall not be made within the time and in the manner provided in Section 2.04, the Superintendent may forthwith cause the same to be made and file a statement of the cost thereof with the Board of Commissioners. The cost of all such work shall be charged to the owner(s) of the subject property. The Board of Commissioners may immediately certify the amount of the cost of making such connection or repairs

to San Juan County which shall be subject to the procedures of certificates of delinquency provided for in other parts of this resolution

ARTICLE III

Building Sewers and Connections

Section 3.01. Non-authorized Connections, Disturbances, etc., of Public Sewer Forbidden

No person other than representatives of the District shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written repair authorization permit from the Superintendent or their designee.

Section 3.02. Application Agreement to Construct Extension to Sewer System

The District shall determine whether a parcel is eligible to connect to an existing sewer main or whether a main must be extended as a condition to the District providing sewer service. If the District determines that a main must be extended, the owner or his agent shall prepare an application agreement to construct an extension to the District's sewer system using a form approved by the District. The application agreement shall provide that, except as specifically provided herein, all construction shall be paid for by the owner and shall be performed in accordance with plans and specifications approved by the District. The application agreement shall be supplemented by any information considered pertinent in the judgment of the Superintendent, including, in case of a new building, a plan, or diagram of plumbing and drainage facilities. **No Provisional Use Letters or Letters of Availability verifying capacity of the Sewer District to serve a particular property will be issued until a specific septic design, including tank specifications, and details of connection are reviewed and approved by the Superintendent and all fees for ERU's and connections per the Master Rate Schedule are paid in full and all easements are obtained.**

Section 3.03. Permit to Construct Extension to Sewer System - Procedure for Obtaining

Extensions of sewer mains and facilities and connections to District sewer mains may only occur upon the issuance of a permit by District. Permits shall be obtained in the following manner:

- A. Permits and Letters of Availability shall be issued only upon proper application payment and full payment of initial Connection Fees per Master Fate Schedule.
- B. A permit which includes a septic tank installation in a public area or the connection with any publicsewer may be issued only to a licensed registered side sewer contractor or the owner of the property.
- C. The applicant shall execute a "Sewer System Easement" and a "Septic Tank Facilities License" (previously executed "Relinquishment of Custody and Control of Septic Tanks" documents shall remain in effect if, and until, replaced by a current "Septic Tank Facilities License), on forms provided by the District granting the District an easement for access on the property being served, to inspect, maintain and repair the installation on said property and grant custodianship of the septic tank installation to the District and be designed to allow permanent access,
- D. Permits shall not be transferable. No authorized person, including any licensed registered

side sewer contractor, shall lay any pipe pursuant to any other person's permit.

- E. The applicant for a permit shall supply the District Clerk with the following information:
- 1) Owner's name
 - 2) Address of property to be served
 - 3) Owner's mailing address
 - 4) Name and address to which bills shall be sent, including email address and telephone number
 - 5) Licensed Registered side sewer contractor's name and proof of qualification under Section 3.04 of this resolution. The contractor must be listed in the MRSC Roster and certified by San Juan County.
 - 6) Legal description of property to be served
 - 7) All outside dimensions of building to be served
 - 8) Location of buildings on property to be served, ensuring permanent access
 - 9) Purpose of building, including number of kitchens, toilets, showers, laundry, bedroom and intended use
 - 10) Full Site Plan
- F. A permit shall be obtained, and the fees therefore paid before any septic tank installation work begins.
- G. No permit shall be issued for septic tank installation or side sewer connection before the mainsewer is accepted and all fees paid.
- H. The permit must be posted on the job prior to commencing the work and must be readily accessible to the inspector for the District.
- I. A licensed registered side sewer contractor shall meet with the Superintendent and/or inspector on the job for a pre-construction meeting and whenever so directed.
- J. The District may require design engineering to construct the connection.
- K. A licensed contractor furnishes and installs the electrical connection from his service panel to the pump control panel; including circuit overload protection, all excavation, and backfill to install the connection, and all restoration as specified elsewhere, herein. Proof of L & I inspection and approval is required.

Section 3.04. Licensed Installer Registration Required

For the purpose of assuring safe and quality construction of septic tank installations to the public sewers of the District and affording satisfactory protection to the sewer users of the District, only contractors listed in the MRSC Roster and certified by San Juan County may be used to install or replace septic tanks in the District.

Section 3.05. Check Valves and Saddles

Connection will be made at the point designated by the Superintendent.

Section 3.06. Cost of Septic Tank Installation Borne by Owner

All costs and expense incident to the installation and connection of the septic tank installation shall be

borne by the owner. The owner shall indemnify the District for any loss or damage that may directly or indirectly be occasioned by the installation of the septic tank.

Section 3.07. Septic Tank Installation for Each Building- Exceptions

A single septic tank installation shall be provided for every building unless the connection of more than one building to a single septic tank installation is approved by the Superintendent prior to the construction of such building. No more than one multiple dwelling, industrial, or commercial building shall be connected to a septic tank installation, unless otherwise approved by the Superintendent.

Section 3.08. Reuse of Existing Septic Tank Installations

Existing septic tank installations, including septic tank lines, may be used only when they are found, on examination and test by the Superintendent, to meet all requirements of this resolution. The owner or his agent shall demonstrate to the Superintendent that no connection to such septic tank line exists which conveys any material prohibited by Article 1 of this resolution.

Section 3.09. Septic Tank Installations - Specifications

Septic tank installations shall meet the Sanitary Sewer Specifications issued by Chapter 8.16 of San Juan County Code. Sewage tanks shall have the following specifications:

- A. Tank design shall be monolithic with capacity based on San Juan County onsite Sewage Plan, Appendix A.
- B. 250 gallons of capacity should be added for each kitchen and laundry after the first kitchen and laundry.
- C. For transient or vacation rental use (rental periods of 30 days or less) the flow rates are considered to be 2 times regular residential flow rates, and all vacation rentals are considered commercial.
- D. Non-residential tank capacity will be equal to 3 times design flow with a minimum tank size of 1,000 gallons. Design flow shall be determined from Section 3.3.2 of the USEPA On-Site Wastewater Treatment Systems Manual (EPA/625/R-00/008) or from a design proposal from a licensed sanitary system designer or engineer and accepted by the Superintendent of the sewer district.
- E. Facilities including commercial kitchens and/or providing communal dining services shall have separate Grease Trap tanks for kitchen flows with a minimum capacity of 1,000 gallons and a capacity based on three times design flow as determined by the Superintendent based on USEPA On-Site Wastewater Treatment Systems Manual (EPA/625/R-00/008) or a design proposal from a licensed designer or engineer and accepted by the Superintendent of the sewer district.

Section 3.10. Gravity Sewer Pipe – Appendix A -SJC Onsite Sewage Plan

The Superintendent may issue detailed specifications for all gravity and pressurized sewer line installations and appurtenances including pumps and electrical connections.

Section 3.11. Information from District

The owner of any building shall be responsible for obtaining from the Superintendent the location and elevation of the sewer main at the point of connection and, in the case of new construction, for planning the building and plumbing to provide adequate slope to the septic tank installation.

Section 3.12. Septic Tank Installation - Side Sewer - Excavation - Pipe Laying

All excavations required for the installation of a septic tank installation and side sewer connection to a main shall be open trench work unless otherwise approved by the Superintendent. Pipe laying and backfill shall be performed in accordance with the following specifications:

- A. Pipe shall be carefully bedded, either by forming the trench bottom to support the bottom one quarter of the pipe or by over-excavating the bedding with granular material, thoroughly tamped or trod under and alongside the pipe.
- B. No large rocks shall be left in the trench bottom which may damage the pipe and no large rocks shall be placed in the backfill.
- C. Pipes shall be laid with spigot ends downstream and all changes of direction shall be made by suitable fittings as provided in Section 3.11. Trench shall be free of water during laying of pipe.
- D. No backfill shall be placed over the pipe until the work has been inspected and approved.
- E. Backfill shall be placed by hand and be thoroughly tamped or trod to six inches above the top of the pipe.
- F. Only the FBSD or a registered side sewer contractor may excavate in the vicinity of a public sewer and stubs.
- G. No downspouts or outside drains shall be connected to a building sewer.

Section 3.13. Gravity Sewer Lines - Side Sewer Discharge Lines - Joints and Connections

All joints and connections shall be made gastight and watertight.

Section 3.14. Septic Tank Installation - Connection to Public Sewer

The connection of the septic tank installation into the public sewer shall be made at a tee if available or with the use of a tapping saddle if no tee is available.

Section 3.15. Building Sewer - Septic Tank Installation - Inspection

The applicant for the permit shall notify the Superintendent when the building sewer or septic tank installation is ready for inspection. The grade and manner of construction shall be subject to approval of the Superintendent or a regularly appointed sewer inspector. The Superintendent may require any test to demonstrate that the building sewer or septic tank installation meets the standards specified herein.

Section 3.16. Protection of Excavations - Restoration of Public Property

All excavations for septic tank installations shall be adequately guarded with barricades and lights to

protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District and/or the San Juan County Engineer when applicable.

Section 3.17. Unlawful Connections to Public Sewer

Any person who makes or causes to be made any connection to the public sewers of the District without receiving a permit therefore or executing the Standard Participation Contract provided by the District before such connection, shall be subject to the penalties set forth in Section 6.03, and \$1,000 additional charges set forth in the Master Rate Schedule shall be payable to the District.

Section 3.18. Private sewers - Conveyance to District

A private sewer constructed in a public right-of-way or in an easement conveyed to the District may be conveyed to the District subject to acceptance by the District. If the District accepts that conveyance, the sewer thereafter shall be a public sewer under the jurisdiction of the District. Prior to accepting the conveyance, the District may require that the grantor of the private sewer satisfy certain construction and other reasonable standards, including, but not limited to, the payment of a connection charge, if applicable, and inspection fee and the execution of a Standard Participation Contract.

Section 3.19. Connection of Non-assessed Property

The owners of property outside the boundaries of the District or of property within the District which has not been subject to special assessments for sewers by the District, may, if the Board of Commissioners consents, and county rules and state laws allows to connect to the public sewer of the District and obtain sewage disposal service by entering into a Standard Participation Contract, provided for by Article IV of this resolution and shall contract customer rates per the Master Rate Schedule.

Section 3.20. Disconnection of Building Sewer

- A. A temporarily unimproved parcel, a parcel determined by the Board of Commissioners to be delinquent in payment of District fees and charges for more than one year, or a parcel determined by the District Superintendent to pose a risk to the District's sewer system due to non-compliance with District standards may be temporarily disconnected from the District's sewer system subject to the requirements set forth herein. Temporarily unimproved property for the purposes of this section are those lots or parcels whose home or other primary structure has been demolished or destroyed by fire or other catastrophe. Disconnection shall not result in the refund of any connection, meter or other charges previously paid. The following requirements apply:
- 1) Request for temporary disconnection must be made in writing and submitted to the Board of Commissioners by either the property owner or District staff.
 - 2) For disconnections requested by property owners, all accounts associated with the parcel must be paid in full at the time of disconnection.
 - 3) Service must be disconnected and capped at the District's side sewer stub. District staff may perform the work at the property owner's cost, or the property owner may hire an experienced, licensed and bonded contractor to cap the side sewer. inspection fees may

be required pursuant to the District's Fee and Charge Schedule.

- 4) Monthly billing to the property owner of regular monthly service charges will cease once the temporary disconnection has been successfully completed; however the Board of Commissioners may adopt a reduced fee for the period of disconnection which enables the District to recover a fairshare of the costs of repairing, replacing and constructing capital facilities and depreciation. Reconnection shall not occur until such fee is paid in full.
- 5) Restoration of a temporary disconnection must occur within a three (3) year period for the service to be reinstated without payment of connection charges. Labor and installation charges for reconnecting a sewer stub shall nevertheless apply.
- 6) If restoration of service is not requested by the property owner within three (3) years from disconnection, the property will default to a Permanent Termination status.
- 7) The District will notify the San Juan County Department of Health of the temporary termination of service.

B. Permanent Termination of Service. The District will not allow an improved parcel to be permanently disconnected and service terminated from the District's sewer system unless all improvements are permanently demolished, or service is replaced, with the District's consent, with service from another municipal sewer service provider. Upon written request by the owner of a parcel of property and subsequent approval by the Board of Commissioners, the District will terminate sewer service subject to the requirements contained herein. There shall be no refund whatsoever of any connection or other charges previously paid to the District. If the parcel is ever reconnected to the District's sewer system, standard connection charge and service installation rates then in effect shall apply with no credit for any previous payments. The following detailed requirements apply:

- 1) Request for termination must be made in writing and submitted to the Board of Commissioners.
- 2) All accounts associated with the parcel of property requesting termination must be paid in full.
- 3) Sewer service must be disconnected and capped at the District's side sewer stub. Property owner is responsible for hiring a qualified, licensed, and bonded contractor to cap the side sewer. The District must inspect the disconnection/capping of the side sewer; inspection fees may be required per the District's Rate and Fee Schedule.
- 4) Billing to the property owner will cease once termination has been successfully completed.
- 5) Restoration of service will require payment of all applicable fees and charges associated with a new service connection to the District.
- 6) The District will notify the San Juan County Department of Health of the termination of service.

Section 3.21. Change of Use - Change of Ownership- Upgrade of Failed or Failing Septic Tanks

When a building or facility whose sewage is received and treated by the District and a change of use occurs or is planned or degradation in the system occurs, the District may review the adequacy of

septic tank installations to treat the sewage generated by that use. This includes:

- (1) properties that are remodeled, expanded, or added to in any way.
- (2) a change in ownership, title transferred by descent, gift, transfer, disclaimer, or any other means.
- (3) a change in use, such as from single family residential to Vacation Rental for any part of the year, commercial or multifamily, or expanded in use.
- (4) evidence of tank failure based on inspection criteria.

The Superintendent's or Engineer's evaluation shall define the improvements or upgrades to the septic tank installation that are required to meet treatment and or maintenance considerations regarding suitability in size, configuration, and equipment and require upgrading to current standards at the owners or new owners' expense. An engineering study or a licensed septic designer's study may be required, at the property owners' expense, to evaluate the quantity and quality of effluent discharged or proposed to be discharged from any non-single family residential, multifamily, or commercial structure that meets those conditions with any resulting upgrade recommendation executed at the owner's expense. If the District Superintendent finds that upgrading of the parcel's septic system facilities is not immediately necessary, he may grant a deferment for not more than 12 months; provided that, if ownership to the parcel is transferred, assigned, or conveyed during the deferment period, the deferment shall automatically be terminated upon the transfer or conveyance and the upgrade shall be immediately performed by the owner or new owner at their sole expense.

When improvements of facilities are made on a parcel of property served by the District, the District shall evaluate the improvements and waste discharge levels and charge additional monthly service charges and connection charges attributable to any expansion and/or increase. Such evaluation shall occur at the time that the owner applies for a certificate of sewer availability related to proposed new improvements, after San Juan County issues a building permit or certificate of occupancy or equivalent or in accordance with conditions described in this Section.

When an existing property that is currently served by the District is changed in use from a single family residential unit to a vacation rental property, each rental unit shall have an effluent meter installed at owner's expense and be charged per the Master Rate Schedule the monthly maintenance and operation charge for vacation rental properties shall be at the commercial rate using the commercial rate schedule.

The Superintendent may, at any time, inspect any existing septic tank that is connected to or is required to connect to the District's sewer system to determine if it is meeting District standards. If the Superintendent finds that a septic tank fails to provide an adequate level of treatment or does not otherwise conform to District standards, he or she shall issue a written notice and report to the property owner that briefly describes the failure or violation, required repair, replacement, or upgrade, sets a deadline for completion of the installation, and imposes other appropriate requirements. The upgrades may include and shall not be limited to installation of an entire new septic

tank, pump, lateral line, and electrical controls. All such upgrade work shall be performed at the property owner's expense and shall be subject to District's installation standards, inspection, and grant of easement requirements. The property owner shall perform the work by the deadline stated in the report. The property owner may appeal the Superintendent's notice and report to the Board of Commissioners by written notice to the District within twenty (20) days of issuance. If no appeal is filed within twenty (20) days, the report shall be final and binding. If a notice of appeal is properly filed, the appeal shall be heard at the next regularly scheduled Board meeting, or a special meeting duly called for such a purpose. The Board's determination shall be final.

If a property owner fails to abide by any final determination of the District that requires a septic tank upgrade, improvement or replacement, the District may take any or all steps deemed appropriate by the Superintendent in

consultation with the Board to protect the District's sewer system or ground and surface waters, including but not limited to, entry upon the subject property to make repairs or improvements (the cost of which shall be charged to the property owner), disconnection of the septic tank from the District's sewer system and/or from the structure that generates sewage, contact the San Juan County Dept. of Public Health and/or State of Washington Departments of Health and Ecology and seek regulatory assistance, petition for revocation of occupancy permit, eviction or condemnation by the County, or file an action in San Juan County Superior Court for relief. To the extent allowed by law, the costs associated with all proceedings hereunder shall be borne by the property owner.

Any Failed System that is not replaced one year after FBSD has notified the owner that the system must be replaced will be pumped annually or more often based on the judgement of FBSD at owner expense. Rates for all service on Failed Systems shall be at failed system rates set forth in the Master Rate Schedule.

ARTICLE IV
Standard Participation Contract

Section 4.01. Standard Participation Contract Eligibility

The owners of properties located outside of the District which are eligible to receive sewer service shall execute a Standard Participation Contract with the District containing terms and conditions satisfactory to the Board of Commissioners as a condition to receiving service.

Section 4.02. Standard Participation Contract -Terms

The Standard Participation Contract shall include the following:

- A. That the property owner warrants that he is the owner of that property with full authority to bind the property with the covenants and conditions contained in the contract.
- B. That the property owner shall subject his property to the terms of the contract and shall use the public sewer of the District in accordance with the rules and regulations of the District as

they may be amended from time to time, and that the property shall be subject to the regular schedule of sewer service charges of the District as may from time to time be fixed by the District.

- C. That the property described in the contract shall be the only property served with sewer service pursuant to that contract.
- D. That the property subject to the contract shall be subject to liens, penalties, and interest for nonpayment of sewer service charges to the same extent as any other property served by the District.
- E. That the property owner and his successors in interest shall not object to any annexation to the District or the formation of any utility local improvement district, the area of which may include the property subject to the contract. Credit shall be given on any future assessment in the utility local improvement district for any reasonable costs incurred by the property owner in installing sewer lines which were conveyed to the District at no charge.
- F. Such other terms and conditions that the Board of Commissioners may determine are appropriate given the location, elevation and configuration of the subject parcel and its proximity to a sewer main.
- G. That the contract shall be filed for record at the office of the San Juan County Auditor and shall constitute a charge against that the property and a covenant running with the land and shall bind the property and all future owners thereof.

Section 4.03. Charge in Lieu of Assessment-Trunkage, Connection, Permit Fees and Charges: The Standard Participation Contract may also provide, if determined reasonable and appropriate by the Board of Commissioners, that before the property shall receive sewer service, the property owner must pay to the District, in addition to any trunkage, connection and permit fee or charge which may be due, an amount of money which shall constitute a charge in lieu of assessment and which may be determined as near as may be by the use of the assessment formula used in the utility local improvement district whose sewer lines and other facilities will be utilized to serve the property subject to the contract plus a reasonable rate of interest as determined by the Board of Commissioners, or if there be no such utility local improvement district, then by any fair means that discretion of the Board of Commissioners deems necessary. The charge in lieu of assessment must be paid in full before connection to the public sewers of the District is permitted, but if the Board of Commissioners approve, and if the property owner prepays at least ten percent thereof, the balance of the charge in lieu of assessment may be paid in equal annual installments, plus interest at six percent annually on the unpaid balance, payable in not more than five years, or sooner; and that the unpaid balance plus interest shall become and remain a lien against the property prior to any other charges whatsoever, except taxes.

Section 4.04. Standard Participation Contract - Other Terms

To protect the interests of the District, the Board of Commissioners may require other conditions and provisions to be inserted in the Standard Participation Contract as the individual case may warrant.

Section 4.05. Developer's Contracts

The District may also enter into contracts with owners of real estate as provided in the municipal water and sewer facilities act (Chapter 35.91 RCW) or RCW Ch. 57.22 with regard to the extension of new sewer lines and sewer system appurtenances. The Board may adopt a standard short form developer extension agreement applicable to sewer line extensions that, in the judgment of the Superintendent, do not warrant a more extensive document. For sewer line extensions that do not qualify for the short form, the District may require a more extensive form of developer extension agreement.

ARTICLE V

Permit Fees and Connection Charges

Section 5.01. Permit/Connection/ hookup Fees & ULID#2 Equivalent Residential Unit Charge

At the time when a building sewer permit is applied for, or prior to the issuance of a "letter of availability" of the subject property to the building department of San Juan County, whichever event shall occur first, the applicant shall pay to the District all required fees, as set forth below and the charges, required by Section 3.03 and 5.02. In the event the permit is not issued, the permit fee and connection charge shall be refunded. Fees shall be as follows:

- (1) A sewer permit fee as set forth in the District's rate schedule;
- (2) Plus, the cost of the connection/hookup fee as set forth in the District's rate schedule;
- (3) Plus, the cost, including tax, of the materials listed in Section 3.03 and engineering fees listed in Section 5.02.
- (4) Plus, any past due fees and charges owing to the District as a condition of increasing the size of service for properties already being served by the District or issuing a permit or certificate of availability therefore.

Cancellation of a Multi-unit Planned Development: If an owner or developer purchases multiple sewer connections from the District in anticipation of getting permits and constructing the project but fails to complete the development for any reason or the project permit expires or is cancelled by the County, the owner or developer may request in writing that the District refund the connection fees paid to the sewer district. The connection fees shall be refunded minus a 10% administrative fee and all obligations to provide sewer service shall terminate. Refunds may only be paid to the payor. This option is only available before any project construction begins; once construction begins and the project is discontinued, the connections will not be refunded and will remain with the parcel subject to subsequent cancellation by the District. Application and administrative fees paid are non-refundable.

Section 5.02. Engineering Design, Inspection Fees for New Connections

Each new connection, including septic tank, pump tank, pump, controls and discharge line, shall be designed by the Superintendent or a licensed septic designer, at the property owner's expense, and approved by the Superintendent. Any cost of District work and supervision shall be paid for by the property owner. The property owner shall pay to the District the cost of "as built" drawings covering such facilities so constructed and installed.

Section 5.03. Credit against Connection Charges for Prior ULID Assessments

Subject to the following limitations, properties assessed in the District's utility local improvement district nos. 1 or 2 (together referred to herein as the "ULID's") shall receive a credit against the District's connection charges for the principal amount assessed and paid to the District in the ULID's. This section shall only apply to parcels that are not connected to or in any way served by the District's sewer system as of February 26, 2015. In no event shall the credit exceed the amount of connection charges due. No interest shall accrue on the assessment amounts which are used to calculate the credit.

ARTICLE VI
Sewer Services Charges

Section 6.01. Sewer Service Charges

Each property connected to the District's system of sewers shall pay a monthly sewer charge pursuant to the District's Master Rate Schedule.

Section 6.02. Billing-Charges Due

Billing shall be issued monthly for each user. The first billing shall be issued by the sixth day of the month following the month in which the system is put into operation. Billings shall be sent out by the sixth (6th) day of the month for service provided during the previous month.

Sewer charges shall be due and payable on the last day of the month in which the billing is sent out. The monthly charges are for the preceding month. Payments will be applied first to the most current billing. Any remaining balance will be applied to the oldest billing next unless a written request from the customer to apply their payment is approved by the Board. The Board may choose to delegate approval of payment plans to the Superintendent or the District Clerk. Upon request of a customer for an installment payment plan on an overdue account, the District Clerk is authorized to approve a plan for not more than 24 months with interest based on the rate in effect at the time as contained in the Master Rate Schedule. All other requests for installment payment plans are subject to Board approval.

Section 6.03. Delinquent Connection and Service Charges

All connection charges and all sewage disposal service charges against property owners receiving or capable of receiving such service are deemed charges against the property served, and when such connection charges are not paid within thirty days after the date of billing, or such sewage disposal service charges are not paid by the last day of the calendar month in which billing is made, such charges shall be delinquent. Upon any such charges becoming delinquent there shall be charged interest on the amount of such charges based on the rate in effect at the time as contained in the Master Rate Schedule. Delinquent charges, penalties added thereto, and interest on such charges and penalties shall be a lien against the property which received or could receive such service, subject only to the lien for general taxes, and shall be certified to the Treasurer of San Juan County whenever such charges shall have been delinquent for a period of two months. The District may at any time after sixty days of certification of the delinquency, bring suit and foreclose such lien by civil action in the

Superior Court of the State of Washington for San Juan County pursuant to RCW 56.08.081 of successor statute. In addition to the right to foreclose provided in this section, the district may also cut off all or part of the service after charges for sewer service supplied are delinquent for a period of thirty days.

Section 6.04. Billings - To Whom Mailed or E-mailed

Billings may be mailed or e-mailed either to the occupant or the owner of the property on which the structure served is located so far as the District may reasonably ascertain the same. Failure to receive such bills shall not relieve any person liable therefore from the obligation to pay the same, nor the property receiving such service, or capable of receiving such service, from such lien therefore as may thereafter attach to the property in the manner provided by law.

Section 6.05. Miscellaneous Fees

- A. District rates include once per year maintenance of commercial septic tanks and once every two years' maintenance for residential septic tanks. The Superintendent and/or District Operations Manager will determine if septic tanks require maintenance more frequently to ensure compliance with current and site-specific standards. For this service, property owners will be charged as set forth in the District's rate schedule for sewer district time spent onsite performing each additional maintenance occurrence. All parts or equipment used in this service from the District's inventory will be billed in addition.
- B. New septic installations, upgrades, refurbishments, and replacements must be performed while being inspected by the district superintendent or the district operations manager. For this service, property owners will be charged as set forth in the District's rate schedule for sewer district time spent onsite to inspect the installation and to ensure compliance with current and site-specific standards. All parts or equipment used on the install from the District's inventory will be billed accordingly. The District may accept payment of this fee from contractors working on behalf of property owners.

Section 6.06. Monthly Sewer Rates for Low Income Individuals

The owners of single-family residences who qualify as low-income hereunder may elect to pay a reduced monthly sewer service rate in the amount designated as "Low Income" under the District's Master Rate Schedule. The program shall be available to any property owner who meets the income eligibility threshold based on 150% of the federally established poverty guideline.

A property owner desiring to apply for the reduced monthly sewer rate shall file an application on a form approved by the District and provide one of the following documentations:

- A. Department of Social & Health Services (DSHS) Approval or Re-certification Letter for low-income verification, OR
- B. Low Income Heating Energy Assistance Program (LIHEAP) Award Letter for low-income verification,
OR

C. Social Security Supplemental Security Income (SSI) Benefit Verification Letter for fixed income verification.

The application shall include the mailing address for the applicant and contain all information required by the District to prove eligibility. The applicant shall certify under penalty of perjury that the stated income and number of household members is true and accurate. The District Clerk shall review and approve the application if it meets the foregoing requirements.

If the District Clerk denies the application, the applicant will be informed of the reason(s) for denial and may appeal the denial to the Board of Commissioners, by filing a written notice of appeal with the District within 14 days of the date of the denial. The notice of appeal shall state generally the grounds for the appeal. The Board of Commissioners shall consider the appeal at the first available regular meeting of the Board. The applicant may

appear and present arguments and documentation in support of his or her appeal. District staff may present the basis for its decision and reply to any arguments presented by the applicant. The determination of the Board of Commissioners shall be final, and binding and the applicant shall be notified of the determination.

Within 30 days of approval of an application, the reduced charges shall commence. All applicants that cease to be qualified for the reduced rates as provided herein shall advise the District within five days after having become so disqualified and the privilege to receive reduced rates shall immediately cease. All applicants who have been granted reduced rates shall, as a condition of continued entitlement to reduced rates, annually submit to the District verification that applicant's income remains at or below the level described herein. The Board of Commissioners reserves the right to adjust or discontinue this program at any time. Billing, payment, collection and all other related procedures with respect to reduced rates authorized by this section shall be the same as for all other monthly rates of the District.

Section 6.07. Residential Overuse Policy

If the District staff determines that a residential customer may be using significantly more capacity than the ERU's they have purchased, the District may install an effluent meter at the District's expense at the site to monitor use. Should the data indicate continuing excess usage over the allowed use per ERU the owner shall be notified and the property shall be charged Commercial/Special Residential Customer rates as set forth in the District's rate schedule until such time as the property has six consecutive months of normal residential usage.

ARTICLE VII

Use of the Public Sewers

Section 7.01. Unlawful Discharge of Storm and Other Waters into Sewers

No person shall discharge or cause to be discharged any storm water, surface water, roof runoff,

subsurface drainage, cooling water, or industrial process waters to any sanitary sewer.

Section 7.02. Unlawful Wastes

Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any septic tank installation.

- (1) Any liquid or vapor having a temperature higher than 150°F.
- (2) Any water, or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
- (3) Any solvent, gasoline, benzene, naphtha, fuel oil, lube oil, or other flammable or explosive liquid, solid, or gas.
- (4) Raw food waste from the use of garbage disposals.
- (5) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation, care and maintenance of public sewers and the sewage treatment plant.
- (6) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the District or the sewage treatment plant.
- (7) Any waters or wastes containing toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the sewage treatment plant.
- (8) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
- (9) Any noxious or malodorous gas or substance capable of creating a public nuisance.

Section 7.03. Interceptors, Grease Tanks, Grease Traps

Grease, oil, and sand interceptors, grease tanks, and grease tanks and traps shall be provided when, in the opinion of the Superintendent, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients. Such interceptors, tanks, and traps shall be of a type and capacity approved by the Superintendent and shall be so located as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight and equipped with easily removable covers, which when bolted in place shall be gas-tight and watertight.

Section 7.04. Interceptors, Grease Tanks, Grease Traps – Installation, Maintenance & Repairs

Grease, oil and sand interceptors, grease tanks, and grease traps shall be subject to periodic inspection by District personnel to determine efficient operation at all times. District personnel shall review and

approve designs and specifications for all such installations and replacements, and may require installation within areas covered by District easements and licenses. No work may be performed on such facilities without District inspection and approval. The cost of all installations, maintenance, pumping, repairs, replacements and upgrades of grease tanks, traps, oil, and sand interceptors shall be the sole responsibility of the owner.

Section 7.05. Forbidden Wastes - Preliminary Treatment and Approval

The admission into the public sewer from the septic tank installation of any waters or wastes having the following will be subject to the review and approval of the Superintendent:

- A. A 5-day B.O.D. greater than 250 parts per million weights, or
- B. Chlorides greater than 250 parts per million by weight
- C. Any quantity of substances having the characteristics described in Section 7.02, or
- D. Having an average daily flow greater than 2% of the average daily sewage flow of the District.

Where necessary in the opinion of the Superintendent, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:

- A. Reduce the B.O.D. to 250 parts per million by weight
- B. Reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 7.02, or
- C. Control the quantities and rates of discharge of such waters or wastes.

Plans, specifications, and other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Superintendent and of the Washington State Department of Ecology, when required by law, and no construction of such facilities shall be commenced until such approvals are obtained in writing. Any expenses incurred by the District in reviewing such plans, specifications and information shall be paid by the property owner or his representative before the District's approval is issued.

Section 7.06. Preliminary Treatment Facilities - Maintenance

Where preliminary treatment facilities are provided, such as S.T.E.P. (Septic Tank Effluent Pumping) tanks, for any waters or wastes, they shall be pumped and maintained continuously in satisfactory and effective operation by the District. Unusual configuration or installation of S.T.E.P. tanks may require the owner to pay for all or part of septage pumping. Unusual discharges into S.T.E.P. tanks which require non-standard pumping will require owner to pay for all septage pumping at owner's expense.

Section 7.07. Industrial Wastes - Control Manhole

When required by the Superintendent, the owner of any property carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling, and measurement for the wastes. Such a manhole, when required, shall be accessibly and safely located, and shall be constructed in accordance with plans approved by the Superintendent. The manhole shall be installed by the owner at

his expense and shall be maintained by him so as to be safe and accessible at all times.

Section 7.08. Tests of Wastes -Location of Sampling

All measurements, tests, and analyses of the characteristics of waters and wastes to which reference is made in Sections 7.02 and 7.05 shall be determined in accordance with "Standard Methods for the Examination of Water and Sewage," and shall be taken at the control manhole provided for in Section 7.07. If no specialmanhole has been required, the measurement, tests and analyses shall be taken at the pump vault of the septic tank installation.

Section 7.09. Special Agreements

Nothing in this article shall be construed as preventing any special agreement or arrangement between the District and the manufacturing of any industrial waste whereby industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefore by that manufacturer.

ARTICLE VIII

Protection from Damage

Section 8.01. Unlawful Damage, etc., to Sewer Works

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structures, appurtenance, or piece of equipment which is a part of the District sewage works.

ARTICLE IX

**Powers and Authority of Personnel and
Representatives**

Section 9.01. Entry on Property

The Superintendent and other duly authorized employees or representatives of the District bearing proper credentials and identification shall be permitted to enter upon all properties for the purpose of inspection, observation, measurement, sampling, and testing in accordance with the provisions of this resolution.

Section 9.02. Superintendent- Responsibilities and Limitations

The Superintendent shall be the administrator of the District and all instructions and decisions made by him or she shall be final but appeals from such instructions or decisions may be made to the Board of Commissioners in writing at any regular meeting of the Board. Where this resolution requires approval by, permission or decision of, or instructions from the Superintendent, the Superintendent shall be guided by generally recognized engineering standards and practices, the operational demands and requirements of the sewer works, the peculiarities of construction, topography, soil condition, or other relevant special factors affecting the specific decision to be made by the Superintendent and the specific requirements of this resolution.

ARTICLE X
Violations of Resolution

Section 10.01. Liability to District

Any person who shall violate any provision of this resolution shall be liable to the District for any expense, loss, damage, cost of inspection or cost of correction incurred by the District by reason of such violation, including any expenses including legal fees and court costs incurred by the District in collecting from such person of such loss, damage, expense, cost of inspection or cost of correction.

Section 10.02. Notice of Violation

Any person found to be violating any provision of this resolution shall be served by the District with or mailed a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof; provided, however, in the event of emergencies or other events which threaten public health and safety, environmental damage or violation of federal and State permits governing discharges from the District's treatment facilities, the Superintendent may take immediate remedial measures. The offender shall, within the period stated in such notice, permanently cease all violations and make all necessary corrections.

Section 10.03. Continued Violation - Penalty

Any person who shall continue any violation beyond the time limit provided for in Section 10.02, shall in addition to the items of expense provided in Section 10.01, become liable to the District for a penalty in the amount of 10% of such expense items. If the amount billed is not paid within thirty (30) days, interest shall accrue at seven percent (7%) per annum on the unpaid balance.

ARTICLE XI
Public Records Disclosure, Retention and
Destruction

Section 11.01. Public Records Available

All public records of the District are deemed to be available for public inspection and copying pursuant to these rules unless otherwise exempt pursuant to the provisions of RCW Ch. 42.56.

Section 11.02. Public Records Officer

The District's public records shall be in the charge of the District Clerk or his/her designee who shall be responsible for implementing the District's rules and regulations regarding release of public records, coordinating the staff of the District in this regard, and generally ensuring compliance by the staff with the public records disclosure requirements of RCW 42.56.

Section 11.03. Hours for Record Inspection and Copying

Public records, as identified, shall be available for inspection and copying from 9:30 a.m. to 4:00 p.m., Monday through Thursday, excluding legal holidays, subject to the availability of District staff for assistance.

Section 11.04. Requests for Public Records

Public records, as identified, may be inspected or copied upon compliance with the following procedures:

- A. A request shall be made in writing and presented to District staff at the District office during customary office hours or mailed. The request shall include the following information:
 - 1) Contact information of the person requesting the record if an immediate response to the request cannot be performed.
 - 2) The time of day and calendar date on which the request was made.
 - 3) Public records identified for inspection or copying.
 - 4) If the matter requested is referenced within the resolution index maintained by the District, a reference to the requested record as it is described in such current index;
 - 5) If the requested public record is not identifiable by reference to the resolution index, an appropriate description of the record requested.
 - 6) Within five business days of receiving a public record request, the District must either (a) provide the record; (b) acknowledge the request and provide a reasonable estimate of time to respond to the request; or (c) deny the public record request.
 - 7) In all cases in which a member of the public is making a request, it shall be the obligation of the public records officer or staff member to whom the request is made, to assist the member of the public in appropriately identifying the public record requested.

- B. The District may require that a member of the District's staff be present to oversee or supervise the inspection of District records to ensure that no records are lost, removed or damaged during the inspection process.

Section 11.05. Copying and Shipping of Public Records

No fee shall be charged for the inspection of public records. The District shall charge a fee in the amount set forth in the Master Rate Schedule for providing 8 1/2 x 11-inch copies of public records. The charge for copies of other sizes shall be based on the actual cost of reproduction including the costs charged by third party service providers to perform copying and related services. The District may include shipping costs including postage and the cost of shipping containers and envelopes.

Section 11.06. Right to Exempt Records from Public Inspection

- A. The District reserves the right to determine that a public record requested in accordance with these procedures is exempt under the provisions of RCW Ch. 42.56 or other law.
- B. In addition, the District reserves the right to delete identifying details when it makes available or publishes any public record in cases when there is reason to believe that disclosure of such details would be an invasion of personal privacy, an unlawful or impermissible commercial use of District records or is otherwise exempted from disclosure by law.
- C. All denials of requests for public records must be accompanied by a written statement specifying the reason for the denial, including a statement of the specific exemption authorizing withholding of the record and a brief explanation of how the exemption applies to the record withheld.

Section 11.07. Review of Denials of Public Records Requests

- A. Any person who objects to the denial of a request for a public record may appeal to the Board for prompt review of such decision by tendering a written request for review. The appeal request shall specifically refer to the written statement by the District which denied the original request.
- B. After receiving a written request for a review of a decision denying a public record, the Board shall consider the appeal at the next regularly scheduled Board meeting. A person shall not be considered to have exhausted his or her administrative remedies until the Board of Commissioners has issued a final decision on the person's appeal.

Section 11.08. Records Index

- A. The District has available to all persons an index which provides identifying information as to all resolutions passed by the Board of Commissioners. The District has not indexed all of the public records described in RCW 42.56.070 on the basis that it would be unduly burdensome to do so and it would not necessarily assist members of the public in locating requested information.
- B. The resolution index prepared by the District shall be available to all persons under the same rules and conditions as are applied to public records available for inspection.

Section 11.09. Retention and Destruction

- A. "Public Records shall include any paper, correspondence, completed form, bound record book, photograph, film, sound recording, map drawing, machine readable material, compact disk . . . or other document, regardless of physical form or characteristics ... that have been made by or received by any agency . . . in connection with the transaction of public business
RCW 40.14.010
- B. All District public records shall be and remain the property of the District. Outgoing officials and employees must pass such records on to their successors. The District public records must be preserved, stored, transferred, destroyed and otherwise managed according to the provisions of Chapter 40.14 RCW.

- C. Public records may be destroyed or transferred only in accord with the instructions and approval of the State of Washington's Local Records Committee (RCW 40.14.070).
- 1) The Committee includes the State Archivist and representatives of the State Auditor and Attorney General's Office. This Committee has the authority to review and approve the disposition of all District records (RCW 40.14.070).
 - 2) The Committee has established record retention schedules applicable to the District. The District may establish a records control program based on records retention schedules submitted to the committee for approval.
 - 3) No District public records may be destroyed until expiration of the retention schedule approved by the local Records Committee.

ARTICLE XII
Miscellaneous

Section 12.01. Notice. Billings

Any person who has the care, custody, control or management of any premises or building, or who has control of the operation thereof or the collection of rentals therefrom, shall, for the purpose of this resolution, be deemed to be the agent of the owner of such premises or building, and the giving of all notices herein provided to that agent shall be deemed due notice to the owner. The mailing or delivery of bills for sewer service charges, permit fees, connection or trunkage charges, or other charges to that agent shall be deemed mailing or delivery to the owner.

Section 12.02. Customer Complaints

Any customer complaints must be made in writing. Customers shall obtain a complaint form from the District Clerk at the District office and deliver or mail the form or equivalent to the District.

Section 12.03. Validity - Severability

This resolution shall supersede Resolution No. 2023-10 in its entirety. The invalidity of any section, clause, sentence, or provisions of this resolution shall not affect the validity of any part of this resolution which can be given effect without such invalid part or parts.

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