

Environmental Health Briefing

TO: Mason County Board of Health

FROM: Ian Tracy, Environmental Health Manager

DATE: July 22nd, 2025

ITEM: Draft OSS Code Enforcement Referral Policy

SUMMARY: We are accumulating a growing number of code enforcement cases involving properties where the owners are unable to install a septic system. In some cases, it is for financial reasons, and in others it is due to the code restricting minimum land area, or both.

At the July 22 Board of Health meeting we discussed several example cases and the Board voted to create a policy to defer code enforcement in certain cases.

REQUESTED ACTION: Review draft policy, discuss changes, and if appropriate, vote to approve policy.

ATTACHMENTS: Draft Policy

ENFORCEMENT ALTERNATIVES

Background: Mason County Environmental Health has found that circumstances occur where owner/occupants are unable to install a septic system per MCC6.76.065(1). Typically, this is on undersized lots that were platted prior to the standards established in WAC 246-272A. The Mason County Board of Health has chosen to defer enforcement action when the following criteria are met:

- The property is owner-occupied, and the residents are living in RVs or tents. No homes or permanent dwelling units are present.
- The residents are utilizing accessory holding tanks or chemical toilets for the storage of all sewage generated on the property.
- Sewage is regularly removed by Mason County Certified OSS Pumpers and disposed of at locations that are approved by WA Dept. of Ecology.
- No other public health threats are identified.

Property Owner requirements:

- Pump all chemical toilets or tanks at regular intervals to prevent overflow.
- Provide receipts for all pumpings to the department within 30 days of service.
- Allow the department to inspect the property within 30 days of receiving request. Requests to inspect will typically be in response to complaints of improper sewage disposal.
- Notify the department within 48 hours if a sewage spill occurs.
- Sign an agreement provided by the department acknowledging the conditions of enforcement deferral.

The Department shall record a notice to title informing the public that the property will be posted for Non-Occupancy if the property is sold or transferred to new owners. The non-occupancy will be lifted once the property has a permitted septic system installed. The new owners will be responsible for paying the cost of recording the notice lifting the Non-Occupancy.