

ORDINANCE 2009-05
(AN ORDINANCE AMENDING SKAMANIA COUNTY CODE
CHAPTER 8.04 - PUBLIC HEALTH DISTRICT TO ESTABLISH A LOCAL HEALTH
JURISDICTION)

WHEREAS, the County is authorized under RCW Chapter 70.05 to establish a local health jurisdiction; and,

WHEREAS, effective October 1, 2008, Skamania County reorganized the Department of Planning and Community Development to include environmental health services and renamed the department to be known as the Community Development Department; and,

WHEREAS, effective October 1, 2008, the three programs in the Counseling Center and the personal health services program were merged into the Community Health Department; and,

WHEREAS, the Skamania County Board of County Commissioners determined it is in the best interest of Skamania County to provide most, if not all, public health services directly through Skamania County; and

WHEREAS, the existing Skamania County Code Chapter 8.04 no longer reflects the changes made to the local health jurisdiction in 2008; and,

WHEREAS, on November 24, 2009, the Board of County Commissioners held a workshop to discuss the draft text of Ordinance 2009-05 establishing a local health jurisdiction; and,

WHEREAS, notice of the public hearing was provided in the official newspaper of general circulation at least 10 days prior to the public hearing, meeting the notification requirements; and,

WHEREAS, on December 15, 2009, at 5:30 pm, the Board of County Commissioners held a legislative public hearing on Ordinance 2009-05; and,

WHEREAS, after accepting public testimony on the proposed amendment to Chapter 8.04, the public hearing was closed to further testimony; and,

WHEREAS, on December 15, 2009, the Board of County Commissioners considered for adoption the draft text of Ordinance 2009-05; and,

NOW THEREFORE BE IT HERBY ORDAINED AND ESTABLISHED the attached is the final version of the text of Ordinance 2009-05 amending Skamania County Code Chapter 8.04 – Local Health Jurisdiction.

BE IT FINALLY ORDAINED that this ordinance shall become effective upon adoption by the Board of County Commissioners of Skamania County.

CHAPTER 8.04 LOCAL HEALTH JURISDICTION

Sections:

- 8.04.010 Established
- 8.04.020 Repeal
- 8.04.030 Powers and Duties of the Local Health Jurisdiction
- 8.04.040 Board of Health
- 8.04.050 Health Officer
- 8.04.060 Skamania County Community Health Department
- 8.04.070 Skamania County Community Development Department
- 8.04.080 Interference with notices

8.04.010 Established

- A. The Skamania County Board of County Commissioners does confirm and reaffirm withdrawal from Clark County Public Health (formally Clark County Health Department) established under Skamania County Resolution Number 2002-76, as provided for in Skamania County Resolution Number 2008-45.
- B. The Board of County Commissioners does hereby establish two separate programs that will provide public health services in all of Skamania County, including all incorporated cities within the geographical boundary of Skamania County:
 - 1. Personal Health Services will hereafter be referred to as Community Health. The Skamania County Community Health Department shall consist of Public Health as well as three programs previously part of the Counseling Center: Mental Health, Chemical Dependency, and Developmental Disabilities as provided for in Skamania County Resolution Number 2008-46.
 - 2. Environmental Health Services shall be a division within the Skamania County Community Development Department. The Board of Commissioners has reorganized the existing Department of Planning and Community Development to include the Environmental Health Division and the Planning Division, hereby referred to the Community Development Department as provided for in Skamania County Resolution Number 2008-46.
 - 3. In coordinating with the Washington State Department of Health, both County Departments shall be considered to be the local health jurisdiction.

8.04.020 Repeal

The current Skamania County Public Health District Chapter, SCC Chapter 8.04, is hereby repealed in its entirety and is replaced with this Chapter. The repeal of SCC Chapter 8.04 does not affect existing permits, land use applications, requirements, or existing enforcement actions.

8.04.030 Powers and Duties of the Local Health Jurisdiction

The local health jurisdiction shall provide public health services to the residents of and on behalf of the county and cities. In addition, the local health jurisdiction is vested with all the powers and delegated authority to perform duties as set forth in RCW Chapters 43.20, 69.06, 69.30, 69.80, 70.05, 70.90, 70.95, 70.118, 70.119, 70.119A, 70.142 and any other applicable state laws.

8.04.040 Board of Health

- A. As set forth in RCW Section 70.05.030, the board of county commissioners shall constitute the local board of health. The jurisdiction of the local board of health shall be coextensive with the boundaries of said county.
- B. The elected chair of the Board of County Commissioners for each year shall also serve as the elected chair of the Board of Health.
- C. The Board of Health shall have supervision over all matters pertaining to the preservation of the life and health of the people of Skamania County. In addition to those duties set forth in RCW Chapter 70.05, they shall also:
 - 1. Collect, analyze, and disseminate to the community, through the Skamania County Community Health Department and the Community Development Department, information about community health conditions, risks and resources, and the availability of resources to address identified problems; and,
 - 2. Enact such rules, regulations, and polices as are necessary to preserve, promote, and improve the health status of Skamania County residents, and guide the allocation of appropriated and necessary public health resources; and,
 - 3. Assure that necessary and effective public health services are available for the protection of the people of Skamania County, including the control and abatement of nuisances detrimental to public health; and,
 - 4. Enforce the public health codes and policies of the county.
- D. The Board of Health shall hold no fewer than one regular meeting in each month of each year; provided, that if no issues over which the Board of Health has jurisdiction are pending upon its calendar, a meeting may be canceled. All meetings of the Board of Health shall be open to the public, pursuant to the Open Public Meeting Act, codified in RCW Chapter 42.30.
- E. Two (2) members of the Board of Health shall constitute a quorum and business may be transacted by a majority vote. The Board of Health shall take no actions unless the quorum is met.
- F. The Clerk of the Board of County Commissioners shall serve as the Clerk of the Board of Health for purposes of recording and maintaining records from Board of Health meetings.
- G. The Board of Health shall keep a public record of its transactions, findings, and decisions.

- H. Board members shall be reimbursed in the same manner, for the same expenses, and at the same rate County employees are reimbursed for the conduct of public business.
- E. In any inter-local agreement for public health services from another County, the Skamania County Board of Health shall describe how public health policies and fees shall be set for Skamania County.
- F. Fees shall be established by resolution of the Board of County Commissioners from time to time. The Board of County Commissioners may choose to subsidize all or any portion of any fee charged to Skamania County citizens for public health services provided it budgets sufficient funds to pay the subsidy.

8.04.050 Health Officer

- A. The Board of Health shall appoint a health officer meeting the qualifications set forth in RCW Chapter 70.05 and other applicable state laws. The Health Officer may be an employee of Skamania County Community Health Department or the County may contract a health officer through an intergovernmental agreement or personal services contract.
- B. The health officer or his designee shall:
 - 1. Enforce public health statutes of the state, rules of the State Board of Health and the Secretary of Health, and all local health rules, regulations, and ordinances in his/her jurisdiction regarding public health; and,
 - 2. Take such action as is necessary to maintain health and sanitation supervision over the county and cities; and,
 - 3. Control and prevent the spread of any dangerous, contagious, or infectious diseases that may occur; and,
 - 4. Inform the public as to the causes, nature, and prevention of disease and disability and the preservation, promotion, and improvement of health; and,
 - 5. Prevent, control, or abate nuisances that are detrimental to the public health; and,
 - 6. Attend all conferences called by the Secretary of Health, or his or her authorized representative; and,
 - 7. Take such measures, as he/she deems necessary, in order to promote the public health; and,
 - 8. Participate in the establishment of health education or training activities; and,
 - 9. Inspect, as necessary, expansion or modification of existing public water systems, and the construction of new public water systems, to assure that the expansion, modification, or construction conforms to system design and plans; and,
 - 10. Collect such fees as are established by the state board of health or the local board of health for the issuance or renewal of licenses or permits or such other fees as may be authorized by law or by the rules of the state board of health.

8.04.060 Skamania County Community Health Department

- A. The Director of Community Health shall serve as the administrator for Personal Health services and the Board of Health.
- B. The Director shall be responsible for administering the operations of the Board, except as designated to the Clerk of the Board or duties assigned to the local Health Officer as enumerated in RCW 70.05.070 and other applicable state law.
- C. Community Health Public Health and the Board of Health together shall be a budgeted program within the Current Expense Fund known as Public Health.
- D. The Director of Community Health shall administer any contracts between the County, State, Federal, local agencies, or other organizations providing personal health services to the citizens of Skamania County.
- E. The Director of Community Health shall also administer funds received from grants, contracts, and other sources for personal health services and other public health services, except environmental health services.
- F. The Director of Community Health shall serve as the Skamania County representative on the Region IV Public Health Governing Council.
- G. The fees charged by Skamania County Community Health shall be those adopted by the Board of County Commissioners and shown on the fee schedule. The Board of County Commissioners may revise the Community Health fee schedule at any time.

8.04.070 Skamania County Community Development Department

- A. The Director of Community Development shall serve as the administrator for Environmental Health Services.
- B. The Director of Community Development shall administer any contracts between the County, State, Federal, local agencies, or other organizations providing environmental health services to the citizens of Skamania County.
- C. The Director shall also administer funds received from grants, contracts, and other sources for environmental health services.
- D. The fees charged by the Skamania County Community Development Department shall be those adopted by the Board of County Commissioners and shown on the fee schedule. The Board of County Commissioners may revise the Community Development Department fee schedule at any time.

8.04.080 Interference with Notices

No person shall remove, mutilate or conceal any notice or placard of the local health jurisdiction posted in or on any premises or public place except by permission of the health officer or the health officer's designee.