

**WAC 246-90-015 Local boards of health—Nonelected members.** (1)

The number of nonelected members, as defined in WAC 246-90-010, on a local board of health, including any tribal representative as described in subsection (2) of this section, must equal the number of elected officials on a local board of health. Elected members of the local board of health may not constitute a majority.

(2) Tribal representatives on local boards of health are selected and appointed following the applicable provisions of RCW 70.05.030, 70.05.035, 70.46.020, and 70.46.031. A tribal representative may serve in any of the three nonelected member categories as defined in this chapter if the representative meets the requirements of the category.

(3) Any changes to local board of health composition must meet the requirements of this chapter.

(4) If a board of county commissioners or a county legislative authority chooses to adopt a resolution or ordinance or otherwise act to change the size or composition of the local board of health, the resolution, ordinance, or other document used must:

(a) Include provisions, which are comparable to those of elected members, for the appointment, term, including initial term, and, if applicable, compensation or reimbursement of expenses for nonelected members as defined in this chapter;

(b) Ensure elected officials do not constitute a majority of the total membership of the local board of health;

(c) Ensure recruitment, selection, and appointment of nonelected members of the local board of health conform with the requirements of this chapter;

(d) Identify nonelected members as voting members of the local board of health except as it pertains to any decision related to the setting or modification of permit, licensing, and application fees; and

(e) Identify the process for how a local board of health will refer successful applicants to the board of county commissioners for approval and appointment. If a county does not have a board of county commissioners, the local board of health will refer successful applicants to the county legislative authority for consideration for approval and appointment.

[Statutory Authority: 2021 c 205. WSR 22-11-039, § 246-90-015, filed 5/11/22, effective 7/1/22.]