

# HOUSE BILL REPORT

## HB 1654

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*As Reported By House Committee on:  
Environmental Affairs*

**Title:** An act relating to the authority of cities and towns with sewer systems extending beyond their limits to compel county residents to hook up to the system.

**Brief Description:** Authorizing cities and towns to compel county residents to hook up to sewer systems.

**Sponsor(s):** Representatives Rust and Horn.

**Brief History:**

Reported by House Committee on:  
Environmental Affairs, February 28, 1991, DPS.

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**HOUSE COMMITTEE ON  
ENVIRONMENTAL AFFAIRS**

**Majority Report:** *That Substitute House Bill No. 1654 be substituted therefor, and the substitute bill do pass.*  
Signed by 11 members: Representatives Rust, Chair; Valle, Vice Chair; Horn, Ranking Minority Member; Edmondson, Assistant Ranking Minority Member; Bray; Brekke; G. Fisher; Phillips; Pruitt; D. Sommers; and Sprenkle.

**Minority Report:** *Without recommendation.* Signed by 2 members: Representatives Neher and Van Luven

**Staff:** Rick Anderson (786-7110).

**Background:** Some cities within the state have extended their sewer system beyond city limits to provide sewer service to residents of the unincorporated areas of the county.

Under current law, sewer districts may compel property owners within an area served by the sewer district system to connect to the sewer district system. Cities cannot compel residents of the unincorporated part of the county to hook up to a sewer system regardless of the proximity of the sewer system.

Local health jurisdictions have regulatory authority to require hook-up to sewers in cases where the property owner's septic tank is recognized as a health hazard,

provided that a sewer system is within 200 feet of the property owner. This authority has typically not been exercised by the local health jurisdictions.

Heavy use of septic tanks and other on-site systems can degrade water quality, especially in urban areas and where adverse soil conditions exist.

Cities or towns providing utility service to residents outside their jurisdictions may enter into annexation agreements with those residents. When annexation occurs by petition, these annexation agreements substitute for petition signatures.

**Summary of Substitute Bill:** Cities and towns may compel property owners in unincorporated areas of a county to connect to a city-owned sewer system if: 1) the system is within 200 feet of a property owner; 2) the county legislative authority approves of such connection; and 3) there is a finding that septic tanks degrade local water quality.

If a property owner fails to connect to a sewer system, cities and towns are authorized to connect the property to the sewer system and assess the charges to the property owner.

**Substitute Bill Compared to Original Bill:** Technical changes are made to clarify the conditions under which a city or town may compel property owners in unincorporated areas of the county to hook up to sewer systems.

A provision is added clarifying that the authority of a city or town to require annexation agreements is not affected by this bill.

**Fiscal Note:** Requested February 15, 1991.

**Effective Date of Substitute Bill:** Ninety days after adjournment of session in which bill is passed.

**Testimony For:** Greater use of sewer systems in unincorporated urban areas will improve water quality.

**Testimony Against:** None.

**Witnesses:** Ed Thorpe, Coalition for Clean Water (pro); Kathleen Collins, Association of Washington Cities (pro); Rose Besserman, Council Member - City of Vancouver (pro); Joe Daniels, Washington State Association of Water/Waste Water Districts (pro); Paul Parker, Washington State Association of Counties (pro); and Dave Lenning, Washington

Department of Health (pro).