

**BLAINE COUNTY ORDINANCE NO. 2016-05**

AN ORDINANCE OF BLAINE COUNTY, IDAHO amending BLAINE COUNTY CODE, Title 7, Building Regulations, Chapter 1 Building Code, Section 4 Additional Requirements to assure compliance with approved design and construction methods of Idaho Department of Environmental Quality's Technical Guidance Manual; adding a surety of one thousand dollars (\$1,000.00) to be paid by the lot owner or authorized agent to the County Building Department at the time of building permit application; providing a severability clause and an effective date.

**RECITALS**

Whereas, the hearings for this amendment have been noticed consistent with the requirements of Idaho Code Section 31-715 (Board of County Commissioners), Section 74-204 (Open Meetings), and Blaine County Code;

Whereas, Pursuant to Idaho Code Section 31-714, the Board of County Commissioners may pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by the laws of the state of Idaho, and such as are necessary or proper to provide for the safety, promote the health and prosperity, improve the morals, peace and good order, comfort and convenience of the county and the inhabitants thereof, and for the protection of property therein.

Whereas, the purpose of this ordinance is to preserve the environment, prevent pollution of the aquifer and streams by sewage discharge, and to promote the health, safety and welfare of all residents of Blaine County.

Whereas, the design and construction of alternative onsite sewage systems (hereinafter referred to as "AOSS") shall conform to the Idaho Department of Environmental Quality regulations, specifications, or guidelines in the technical Guidance Manual for Individual and Subsurface Sewage Disposal.

Whereas, to assure compliance with approved design and construction methods, a surety of one thousand dollars (\$1,000) shall be paid by the lot owner or authorized agent to the County Building Department at the time of building permit application.

**NOW, THEREFORE**, be it ordained by the Board of County Commissioners of Blaine County, Idaho:

**SECTION 1.** That the Blaine County Code, Title 7, Chapter 1, Section 4 Additional Requirements, be amended with the addition of text as follows (additions are indicated by underline):

**§7-1-4: Additional Requirements:**

L. Authorization for the construction of an alternative onsite sewage system (AOSS) shall be obtained from the Idaho Department of Environmental Quality through the South Central Public Health District (hereinafter referred to as "SCPHD"). The design and construction of such systems shall conform to such regulations, specifications, or guidelines as may be adopted and amended from time to time in the Idaho Department of Environmental Quality Technical Guidance Manual for Individual and Subsurface Sewage Disposal. To assure compliance with approved design and construction methods, a surety of one thousand dollars

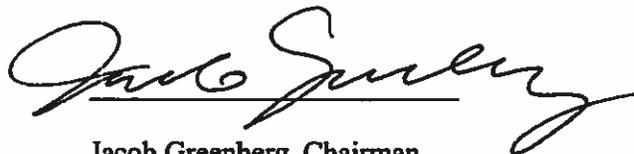
(\$1,000.00) shall be paid by the lot owner or authorized agent to the County Building Department at the time of building permit application. The surety shall be refunded by the County to the owner or authorized agent after written notification of inspection and approval by the SCPHD. In the event the system for which the surety was posted does not receive inspection approval from SCPHD prior to issuance of the Certificate of Occupancy, the County shall give notice to the owner or authorized agent that unless an inspection is completed by SCPHD within ninety (90) days of receipt of said notice that said surety shall be forfeited to the County and shall thereafter be nonrefundable. A surety shall not be required to be paid by lot owners for repair or replacement of existing on-site sewage disposal systems.

**Section 2.** Severability Clause. The Board of County Commissioners intends that each separate provision of this Ordinance be deemed independent of all other provisions herein, and it is further the intention of said Board that if any of the provisions of this ordinance be declared to be invalid, then all other provisions thereof shall remain valid and enforceable.

**Section 3.** Effective Date. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

Regularly passed, approved and adopted by the Board of County Commissioners of Blaine County, Idaho, this 28<sup>th</sup> day of June, 2016.

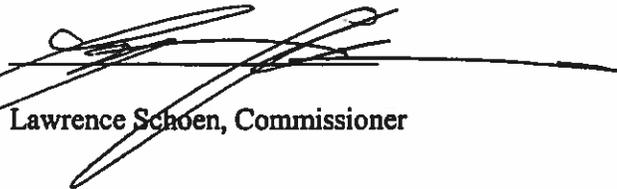
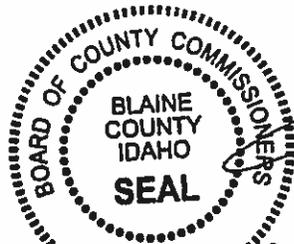
BOARD OF COUNTY COMMISSIONERS OF BLAINE COUNTY, IDAHO



Jacob Greenberg, Chairman

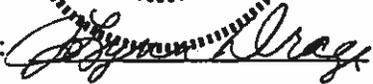


Angenie McCleary, Commissioner



Lawrence Schoen, Commissioner

ATTEST:



JoLynn Drage, Clerk