

**AS-12897**

**Timed Items 16.**

**BOCC Agenda**

**Meeting Date:** 07/11/2023

10:00 a.m. Public Hearing: Create CCC 15.45 regarding General Sanitation Requirements for Cowlitz County Campgrounds

**Submitted For:** Carole Harrison

**Submitted By:** Jamie Hopps

**Department:** Health/Human Services

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**Information**

**Subject and Summary Statement**

The Board of County Commissioners set a hearing for July 11, 2023 at 10:00 a.m., so that interested persons may be heard on the proposed code. Attached is the Ordinance to create County Code 15.45 General Sanitation Requirements for Cowlitz County Campgrounds

**Will Staff Attend - NAME OF STAFF**

Gena James and Season Long

**Department Recommendation**

It is the recommendation of Cowlitz County Health and Human Services that the Cowlitz County Board of Commissioners move to adopt the ordinance to create County Code 15.45.

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**Attachments**

Proposed ORD create CCC 15.45 General Sanitation Requirements

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**Form Review**

**Inbox**

Gena James

**Reviewed By**

Gena James

**Date**

06/21/2023 12:48 PM

Form Started By: Jamie Hopps

Started On: 06/21/2023 11:44 AM

Final Approval Date: 06/21/2023

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
OF COWLITZ COUNTY, WASHINGTON**

In the Matter of Creating Chapter 15.45 Cowlitz County Code)  
Regarding Campground and Recreation Facilities ) Ordinance No. \_\_\_\_\_

**WHEREAS**, current Cowlitz County Code (CCC 18.56) has been repealed, and new code adopted and amended to remove all reference to Health Codes which addressed administrative challenges and reduce the burden to citizens when expanding a pre-existing park; and

**WHEREAS**, State Environmental Policy Act (SEPA) review was completed for the proposed new chapter 15.45 'General Sanitation Requirements for Cowlitz County Campgrounds' to be added under Title 15, Water, Sewer and Waste Disposal, with a determination of non-significance issued on November 2, 2022 and a 14 day comment period ended November 16, 2022; and

**WHEREAS**, the Board of Health held a public meeting to consider adopting the creation of CCC 15.45 at the March 8, 2023 public meeting and voting the code to be adopted through the Board of County Commissioners; and

**WHEREAS**, the Board of Commissioners held a Public Hearing and has determined that it is in the best interest of the citizens of Cowlitz County to adopt the creation of a new chapter of code as Chapter 15.45 CCC - General Sanitation Requirements for Cowlitz County Campgrounds; and

**NOW, THEREFORE, BE IT ORDAINED** by the Board of Commissioners of Cowlitz County, State of Washington that a new Cowlitz County Code Chapter 15.45 be adopted as follows:

**Section 1.** A new Chapter 15.45 CCC is hereby adopted as follows:

## Chapter 15.45

### General Sanitation Requirements for Cowlitz County Campgrounds

Sections:

15.45.010	Title.
15.45.020	Purpose.
15.45.030	Definitions.
15.45.040	Applicability.
15.45.050	Exemptions.
15.45.060	Non-commercial camping standards
15.45.070	Temporary use permits
15.45.080	Authority and administration.
15.45.090	Health standards applicable county-wide.
15.45.100	Annual operating requirements – Inspections and records.
15.45.110	Fees and charges.
15.45.120	Violations – Penalties.
15.45.130	Appeals.

#### 15.45.010 Title.

The ordinance codified in this chapter shall be known as the “General Sanitation Requirements for Cowlitz County Campgrounds.”

#### 15.45.020 Purpose.

The purposes of this chapter are:

- A. To ensure the public health, safety and welfare of all campgrounds within Cowlitz County, including incorporated and unincorporated areas, through the application of health regulations adopted pursuant to authority and responsibility granted to the local Health Official under section 70.05.070 RCW.
- B. To prevent imminent health threats and thereby protecting public health, safety, and welfare.

#### 15.45.030 Definitions.

“Campground” means any parcel or tract of real property that is designed for camping, recreational vehicle camping, or outdoor recreation and containing three or more camping spaces offered for the use of the public or members of a private or religious organization. Campgrounds may also possess any combination of primitive, semi-primitive, or developed camping spaces.

“Camping space” means a specific area designed for the purpose of locating a camping unit, of sufficient size to accommodate the camping unit for which it is designed.

“Camping unit” means a portable structure, shelter, or vehicle designed and intended for occupancy by persons engaged in RVing or camping. This term is intended to be generic to include, but is not limited to, recreational vehicles, tents, tent cabins, park model trailers as defined under section 46.04.622 RCW and WAC 296-150P-0020, manufactured homes, and camping cabins.

“Construction campground” means a campground, utilized for only a temporary basis during construction activity and where all camping spaces and any camping units are to be removed within 15 days after completion of the construction project. Construction campgrounds provide temporary camping spaces for occupancy by persons employed for the specific construction project.

“Day use area” means a recreational facility established or maintained for picnicking and other daytime uses, where no overnight or extended parking or camping is permitted on the premises.

“Department” means the Cowlitz County Health & Human Services Department or as may be renamed or reorganized.

“Director” means the Director of Health & Human Services Department, or designee.

“Gray water” means sewage from bathtubs, showers, bathroom sinks, washing machines, dishwashers, and kitchen sinks. It includes sewage from any source in a residence or structure that has not come into contact with toilet wastes.

“Health Official” means the health officer of the county or a representative authorized by and under the direct supervision of the local health officer, as defined in chapter 70.05 RCW.

“Hearing Examiner” means the Cowlitz County Hearing Examiner, pursuant to chapter 2.05 RCW.

“Imminent Health Threat” means a significant threat or danger to health that is considered to exist.

“Local health department” means the county or district which provides public health services to persons within the area, as defined in chapter 70.05 RCW.

“Mobile home” or “manufactured home” means a structure, designed and constructed to be transportable in one or more sections, and is built on a permanent chassis, and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities that include plumbing, heating, and electrical systems contained therein. The structure must comply with the National Mobile Home Construction and Safety Standards Act of 1974 as adopted by chapter 43.22 RCW, if applicable. [Section 46.04.302 RCW]

“On-site sewage system” means an integrated system of components, located on or nearby the property it serves, that conveys, stores, treats and/or provides subsurface soil treatment and dispersal of sewage. It consists of a collection system, a treatment component or treatment sequence, and a soil dispersal component. An on-site sewage system also refers to a holding tank sewage system or other system that does not have a soil dispersal component.

[WAC 246-272A]

“Outdoor communal areas” means areas within a campground where people are likely to congregate. Communal areas includes, but is not limited to stores, clubhouses, outdoor restaurants, pools, shared fire facilities.

“Person” means any individual, firm, corporation, partnership, association, or agency of state, county or municipal government.

"Potable" means water suitable for drinking by the public chapter 246-290 WAC.

"Recreational vehicle" or "RV" means a vehicular unit primarily designed for recreational camping, travel or seasonal use which has its own motive power or is mounted on or towed by another vehicle. The basic entities are: travel or "fifth wheel" trailer, camping trailer, travel trailer, park trailer, camper, motor home and multi-use vehicles. [Section 46.22.335(7) RCW]. Recreational vehicles are of two types:

1. "Dependent unit" means a recreational vehicle that has no sewage disposal holding capacity and/or devices for connecting sewage disposal facilities to a community waste disposal system. Occupants of such units are dependent upon external water and waste disposal systems that cannot be connected to the unit.
2. "Independent unit" means a recreational vehicle containing holding capacity for potable water, gray water and human wastes, and/or has devices for connecting to sanitary sewers, on-site waste disposal systems, or pumping stations for waste disposal. Occupants of such units are independent of external water and waste disposal systems for a limited period because such systems are constructed in the units. However, on-board water systems must be replenished, and on-board gray water and human waste receptacles must be emptied in proper facilities from time to time.

"Recreational vehicle storage area" means an area of land, operated by a business that leases or rents secured storage spaces, used substantially for the purpose of storing two or more unoccupied recreational vehicles.

"Sanitary facilities" means structures that house toilets, lavatories, handwashing sinks, and may include shower stalls.

"Sewage" means any urine, feces, and water carrying human wastes, including kitchen, bath, and laundry wastes from residences, buildings, industrial establishments, or other places.

"Sewage dumping station" means a facility used to remove, store, treat and/or dispose of sewage and gray water from recreational vehicles and recreational vehicle holding tanks.

"Temporary campground" means a site, approved by the Health Official, for camping units not to exceed 14 days of operation per calendar year.

"Vector" means a carrier of a pathogen from one host to another.

#### **15.45.040 Applicability.**

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No campground may operate in Cowlitz County, including the incorporated areas, except in conformance with this chapter.

Any person who continues to operate, establish, alter, expand, or modify a campground anywhere in Cowlitz County must comply with the requirements of this chapter.

#### **15.45.050 Exemptions.**

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The following are exempt from the provisions of this chapter, unless otherwise specified in this chapter:

- A. Day use areas or where people congregate per CCC 15.42.060(F) or as hereby amended; provided, however, that appropriate sanitary facilities are provided as may be required by the Health Official;

- B. Recreational vehicle storage areas, as defined;
- C. Temporary campgrounds, as defined;
- D. Construction campgrounds, as defined;

**15.45.060 Non-commercial camping standards.**

Camping that meets the exemptions of CCC 18.56.050(G) or CCC 18.56.050(H) must either be temporary non-commercial independent units, or the lots on which the camping takes place must comply with the rules and regulations set forth in WAC 246-290, 246-291, 246-272A, CCC 15.30, and CCC 15.42, if applicable and as now or hereafter amended.

**15.45.070 Temporary use permits.**

Temporary or Construction Campgrounds upon demonstration by the owner or operator that the site conforms to all applicable requirements of CCC 18.56 and health requirements, a temporary campground permit will be issued by both the Building and Planning Director and Health Official; provided the following conditions are met:

- A. An application will be submitted to the department prior to the event;
- B. The applicant for temporary campground will identify the specific date range of the event;
- C. A copy of the site plan must be filed with the Department for the duration of the operation of the temporary campground;
- D. The Department may perform a site inspection to determine the satisfactory compliance with these rules and regulations;
- E. All temporary facilities, including sanitation facilities, will be removed within 15 calendar days post operating permit expiration, unless otherwise approved by the Department.

**15.45.080 Authority and administration.**

The Health Official shall administer, interpret, and enforce this chapter. The Health Official, in accordance with CCC 18.56, shall have the administrative authority to:

- A. Approve the construction of new facilities, and allow the alteration, expansion, or modification of existing campgrounds in Cowlitz County which meet the requirements of this chapter;
- B. Issue operating permits for temporary campgrounds and construction campgrounds;
- C. Perform or cause to be performed certain inspections of campgrounds;
- D. The Director shall provide such forms and establish such procedures as may be necessary to administer this chapter.

**15.45.090 Health standards applicable county-wide.**

All campgrounds and persons utilizing a recreational vehicle or campsite must meet the following standards:

- A. Waste Management. No person shall dispose of or discard gray water, sewage, or solid waste materials onto the ground. All storage, collection, and disposal of liquid and/or solid waste in a campground or private lot must be in conformance with the minimum functional standards set forth by CCC 15.30 and administered by the Health Official. It is the responsibility of both the property owner

and the guest to ensure that all waste is disposed of in accordance with the state and local health regulations.

- B. Water Supply. A water supply serving a campground must conform to the requirements of WAC 246-290 , 246-291, and Cowlitz County Group B Health Ordinance 13-002 as now enacted or hereafter amended, and the following minimum standards:
1. Where an existing public water supply of satisfactory quantity and quality is reasonably available, the Health Official may require connection to that supply for all domestic water purposes at the campground.
  2. Development of a dry campground without a domestic water supply shall require written approval from the Health Official.
  3. Surface drainage shall be diverted away from the riser pipe.
  4. Domestic water supply systems shall conform to the Uniform Plumbing Code and chapter 51-56 WAC as now enacted or hereafter amended, and where applicable.
  5. An unapproved water supply shall not be accessible to any person utilizing the campground, unless otherwise approved by the Department.
  6. Water supply systems used for non-potable uses must not be cross-connected to public (potable) water supplies, unless otherwise approved by the Department.
  7. A campground served by a potable water supply system under the control of the campground must sample and test the water at least annually as required by public water regulations.
  8. Potable water supply systems may be prohibited in areas subject to flooding.
- C. Public Restrooms and Sewage Disposal. All new and existing campgrounds must install and maintain a means of sewage disposal and/or sanitary facilities, approved by the Health Official. The campground may be connected to a public sanitary sewer system or an on-site sewage system if approved by the owner/operator and the Health Official. Connection to a public sewer system may be required. Existing campgrounds with designated RV sites, where potable water is available, must have at least one sewage dump station unless each camping space allows for connection to a wastewater disposal system. New campgrounds with designated RV sites will require a sewage dump station or individual sewer connections. Campgrounds must meet the following minimum standards:
1. All new and existing campgrounds that utilize a septic system are required to provide a satisfactory Operations and Maintenance (O&M) inspection to the Department on an annual basis for each system within the campground, per CCC 15.42.170, and as now or hereafter amended.
  2. Campgrounds that offer septage pumping as a service are required to have the work performed by a Cowlitz County licensed septic pumper, per CCC15.42.200, and as now or hereafter amended.
  3. For camping spaces not connected to a sewage disposal system, there shall be clearly identified and approved sewage dumping station and facilities for the disposal of gray water as approved by the Health Official and convenient to each camping space.
  4. When sanitary facilities are provided they must be within a 300-foot radius of any camping space.
  5. Sealed vault toilets, chemical toilets, or pit privies, or other alternate sewage disposal system, may be installed in lieu of sanitary facilities, subject to approval from the Health Official.

6. In addition to meeting the location requirements for sanitary facilities, such facilities shall include the appropriate quantities of toilets, urinals, hand-washing sinks, and shower stalls as approved or required by the Health Official.
  7. An on-call maintenance manager that is able to respond to emergencies shall be available at all hours.
  8. Newly constructed public restrooms/sanitary facilities must be constructed of materials which are easy to clean and meet chapter 51-56 WAC, and all other applicable building codes. Restrooms must be constructed and meet the following standards:
    - a. Floors shall be constructed of water-impervious materials and sloped to a drain;
    - b. Toilet paper shall be provided at each toilet;
    - c. Hand-cleansing soap and approved sanitary towels or other hand-drying devices shall be provided.
    - d. Restrooms must be cleaned and maintained on a regular basis and in a manner that inhibits excessive mold growth, prevents the attraction of vectors, and prevents risk of injury.
  9. Individual sewer connections must comply with the following minimum standards:
    - a. The sewer inlet pipes shall have a trap;
    - b. Inlet pipes shall be four inches in diameter;
    - c. The sewer inlet pipe shall be so constructed as to prevent surface drainage from entering the inlet;
    - d. All materials used for sewer connections must be noncorrosive, nonabsorbent, durable, and rated for transporting sewage;
    - e. The sewer inlet shall be tightly capped when not in use, and the cap shall be connected to the riser by a means suitable to prevent its loss;
    - f. The campground owner is responsible for seeing that onsite party is responsible for:
      1. Assuring tenants are properly connected to the sewer inlet to prevent spillage.
      2. Assuring tenants are notified that sewer connection cannot overlay water connection.
  10. Sewage dumping stations must be designated and constructed to the standards established by the Department. In each campground that is designed to accommodate recreational vehicles, the sewage dump station should be conveniently located with access from the service driveway; with easy ingress and egress for recreational vehicles.
- D. Solid Waste. In addition to the minimum functional standards set forth by CCC 15.30 and administered by the Health Official, all campgrounds must meet the following standards, unless otherwise approved by the Health Official.
1. Approved solid waste containers shall be placed within 200 feet of each camping space.
  2. Solid waste collection areas having more than one container may require screening with a sight-obscuring fence.
  3. All solid waste containers must meet the requirements of CCC 15.30.270

4. Solid waste receptacles must be emptied on a consistent schedule, at intervals frequent to prevent: overflow, rodent harborage, insect breeding areas, or fire hazards. A schedule may be required by the Health Official if necessary.

**15.45.100 Annual operating requirements – Inspections and records.**

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The Health Official is authorized to perform or cause to be performed certain site inspections in order to determine the satisfactory compliance with these rules and regulations:

- A. The campground owner must submit an annual application in January of each year. Failure to submit an application and receive an operating inspection will be in violation of this chapter.
- B. All campgrounds must receive an annual operating inspection by the Department to ensure the campground continues to operate in accordance with the binding site plan and health regulations established by this chapter. The Department may also conduct additional inspections to ensure deficiencies have been corrected or to investigate health and sanitation complaints. Campgrounds will be considered out of compliance with this chapter if deviations from this chapter are found during inspections and are not corrected. Campground owners must retain inspection records for 5 years.
- C. Upon completion of an inspection, the Health Official must notify the campground owner of any violation, allow 30 days for the owner to correct a violation and comply with this chapter; provided, violations of state or local health regulation shall be corrected within a time period set by the Health Official. Failure to correct the violation as directed, or to enter into a binding agreement to correct the violation by a specific date may result in issuance of a notice of infraction as established by this chapter and CCC 2.06.
- D. If an owner has received three infraction notices for noncompliance within a five-year period, the Health Official may refer the case to the Prosecuting Attorney's office for criminal penalties.
- E. A campground may be ordered closed by the Health Official until the premises, improvements, and facilities are in full compliance with this chapter as applicable.
- F. Campground owners or operators aggrieved by a decision of the Health Official with regards to a finding may appeal that decision to the Hearing Examiner in accordance with appeal procedures established in this chapter and CCC 2.05.

**15.45.110 Fees and charges.**

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Fees and charges for processing applications and inspections under this chapter must be established by resolution of the Board of Health elected officials. Application and inspection on an annual basis for continued operations, and all other fees and charges established by the Board shall be nonrefundable and nontransferable.

**15.45.120 Violations – Penalties.**

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- A. It is unlawful for any person to violate the provisions of this chapter or assist in the violation of this chapter. Violations of this chapter will be subject to civil infraction unless otherwise stated, as provided in CCC 2.06 as it now exists or is hereafter amended.
- B. Payment of monetary penalty does not relieve a violator from the duty to compliance with the provisions of this chapter.

- C. Any person to violate the articles shall be deemed guilty of a separate offense for every day during any portion of which any violation of any provision of this chapter is committed, continued, or permitted by such person and shall be punishable therefor as provided for herein.
- D. Criminal misdemeanor penalties as prescribed in CCC 15.30.220 may be imposed in a case of repeated violations or if the Department determines civil penalties are not effective.
- E. The Health Official:
  - 1. Must enforce the rules of this chapter; and
  - 2. May refer cases within their jurisdiction to the County Prosecutor's Office
- F. When a person receives a finding, by the Department, that a violation has occurred, they may appeal this finding to the Health Official within 30 days of being notified.
- G. When a person violates the provisions of this chapter, the Department, Health Official, or Prosecutor's Office may initiate enforcement, or any other legal proceeding authorized by law including, but not limited to, any one or a combination of the following:
  - 1. Informal administrative conferences, convened at the request of the Department or owner, to explore facts and resolve problems;
  - 2. Orders directed to the owner and/or operator of the Campground and/or person causing or responsible for the violation of these rules;
  - 3. Denial, suspension, modification, or revocation of the operating approval;
  - 4. Civil penalties as provided in CCC 2.06;
  - 5. Legal action by the County Prosecutor;
  - 6. Orders authorized under this section include the following:
    - a. Orders requiring corrective measures necessary to effect compliance with this chapter.
    - b. Orders to stop all operations until all approvals required by rule or statute are obtained.

**15.45.130 Appeals.**

A person aggrieved by a decision under this chapter may appeal said decision to the Hearing Examiner pursuant to CCC 2.05.060.

**SECTION 2. Severability.** The provisions of this ordinance are declared separate and severable. If any section, paragraph, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Commissioners hereby declares that it would have passed this ordinance and each section, paragraph subsection, clause or phrase thereof irrespective of the fact that any one or more sections, paragraph subsections, clauses or phrases may subsequently be found to be unconstitutional or invalid.

**SECTION 3.** Savings Clause. Adoption of new Chapter 15.45 CCC shall not be construed as affecting any existing right or registration acquired under the ordinances or portions of ordinances currently existing, or as repealed or amended, nor as affecting any proceeding instituted thereunder, nor any rule, regulation, or order promulgated thereunder, nor the administrative action taken thereunder, except as provided at law. Notwithstanding the foregoing actions, obligations under such ordinances or as to such registrations issued thereunder and in effect on the effective date of this ordinance shall continue in full force and effect, and no liability thereunder, civil or criminal, shall be in any way modified, except as provided at law.

**SECTION 4.** Only code adoptions and amendments in Section 1, above, shall be codified.

**SECTION 5.** These regulations are in the public interest and shall take effect immediately.

**PASSED IN REGULAR SESSION THIS** \_\_\_\_ day of \_\_\_\_\_, 2023, after a public hearing was held on \_\_\_\_\_, 2023 at \_\_\_\_\_ a.m., pursuant to Notice published in the Longview Daily News on \_\_\_\_\_, 2023.

APPROVED AS TO FORM:  
RYAN JURVAKAINEN, Prosecuting Atty.

BOARD OF COUNTY COMMISSIONERS  
OF COWLITZ COUNTY, WASHINGTON

\_\_\_\_\_  
Douglas E. Jensen, Chief Civil Deputy

\_\_\_\_\_  
Richard R. Dahl, Chairman

ATTEST:

\_\_\_\_\_  
Dennis P. Weber, Commissioner

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Arne Mortensen, Commissioner

Date \_\_\_\_\_