

APPENDIX D: Title 13 Regulations

Title 13 WATER AND SEWERS

13.12.025 Waivers

- 1) With the exception of the requirement in KCC 13.12.020 regarding the connection of existing septic systems to public sewer, the director may waive the requirements in this chapter upon making findings that the following criteria are met:
 - a) The waiver is based on unusual and site-specific conditions that are not created by the property owner; and
 - b) The requirements of this chapter impose a severe and unexpected economic hardship on the applicant. Sewer connection fees and rates shall not be considered in the determination of a severe and unexpected economic hardship; and
 - c) The grant of a waiver will not increase the risk to the public health and welfare, nor be injurious to other properties in the vicinity, to properties downstream or to the quality of the waters of the state; and
 - d) The grant of a waiver will in no way prevent or deter the extension of public sewers at any future date; and
 - e) The grant of a waiver will meet the objectives of safety, function, appearance, environmental protection and maintainability based on sound engineering judgment.
In granting a waiver, the director has the authority to impose conditions, including but not limited to requiring a no-protest agreement for future connection to public sewer.
- 2) With respect to the requirement in KCC 13.12.020 regarding the connection of existing septic systems to public sewers, the board of county commissioners may consider, upon appeal by the owner of the property subject to the requirement, a waiver of the requirement, if the board finds that the conditions set forth in RCW 36.01.330, as it now exists or is hereafter amended, are met.