

Postponed Indefinitely
7/14/98

Submitted by: Chairman of the Assembly the
Request of the Mayor

Prepared by: Department of Health and
Human Services

For reading: July 14, 1998

ANCHORAGE, ALASKA

AO NO. 98-117

AN ORDINANCE RENUMBERING AND AMENDING ANCHORAGE MUNICIPAL CODE SECTION 15.05.160 AND ENACTING A NEW SECTION 15.65.055 TO REQUIRE THE ISSUANCE OF A MUNICIPAL CERTIFICATE OF HEALTH AUTHORITY APPROVAL FOR ALL PRIVATE, ON-SITE WATER WELLS AND ON-SITE WASTEWATER SYSTEMS PRIOR TO THE TRANSFER OF ANY OWNERSHIP INTEREST IN SUCH ON-SITE WATER WELL OR ON-SITE WASTEWATER SYSTEM OR THE TRANSFER OF PROPERTY ON WHICH SUCH WELL OR WASTEWATER SYSTEM IS LOCATED, EXCEPT FOR TRANSFERS BETWEEN SPOUSES.

THE ANCHORAGE ASSEMBLY ORDAINS

Section 1. Anchorage Municipal Code section 15.05.160 is hereby renumbered as section 15.55.055 and amended to read as follows:

15.55.055 Certificates of Health authority approval.

A. Prior to the transfer by gift, deed or contract of any ownership or use interest in a privately owned, on-site water well, the transferror shall obtain a certificate of health authority approval from the Department.

1. The requirements of subsection A. of this section do not apply to transfers between spouses.

B[A]. Upon request and subject to the provisions of this section, the department may issue or deny the issuance of a certificate of health authority [CERTIFICATE] approval for any [SINGLE-FAMILY] dwelling or site which is served by a privately owned[PRIVATE] well[OR AN ON-SITE WASTEWATER DISPOSAL SYSTEM].

C[B] Where an on-site well [WASTEWATER DISPOSAL SYSTEM] does not conform to state and/or municipal [LOCAL] laws, but [AND] no material health hazard is posed by postponing correction of the well's [SYSTEM'S] defects, the department may issue a certificate of conditional health authority [CERTIFICATE] approval to extend the period of time for corrective action until weather conditions allow [PERMIT CORRECTION]. This certificate of conditional health authority approval [CERTIFICATE] may be issued with conditions necessary to ensure that the public health and safety are not endangered.

D[C] The department shall issue a certificate of health authority approval[CERTIFICATE] if the department finds that information provided by an engineer demonstrates that the system for which the certificate is sought conforms to all applicable provisions [PORTIONS] of this Code, regulations promulgated thereunder and applicable State statutes and regulations

[OF THE STATE] in effect at the time of original installation or at the time of any subsequent modification and does not presently create a health hazard.

E[D]. The department may require that a request for a certificate of health authority approval [CERTIFICATE] be on forms provided by the department.

E[E]. All test procedures used to collect the information necessary to meet the requirements of this section shall be approved by the department.

(AO No. 86-21)

Section 2. Anchorage Municipal Code chapter 15.65 is hereby amended by enacting a new section 15.65.033 to read as follows:

15.65.033 Certificates of health authority approval.

A. Prior to the transfer by gift, deed or contract of any ownership or use interest in a privately owned, on-site wastewater system, the transferror shall obtain a certificate of health authority approval from the Department.

1 The requirements of subsection A. of this section do not apply to transfers between spouses.

B. Upon request and subject to the provisions of this section, the department may issue or deny the issuance of a certificate of health authority approval for any dwelling or site which is served by a privately owned wastewater system.

C. Where an on-site wastewater system does not conform to state and/or municipal laws, but no health material hazard is posed by postponing correction of the wastewater system's defects, the department may issue a certificate of conditional health authority approval to extend the period of time for corrective action until weather conditions allow. This certificate of conditional health authority approval may be issued with conditions necessary to ensure that the public health and safety are not endangered.

D. The department shall issue a certificate of health authority approval if the department finds that information provided by an engineer demonstrates that the system for which the certificate is sought conforms to all applicable provisions of this Code, regulations promulgated thereunder and applicable State statutes and regulations in effect at the time of original installation or at the time of any subsequent modification and does not presently create a health hazard.

E. The department may require that a request for a certificate of health authority approval be on forms provided by the department.

F. All test procedures used to collect the information necessary to meet the requirements of this section shall be approved by the department.

Section 2, This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this day of _____, 1998.

Chair of the Assembly

ATTEST:

Municipal Clerk