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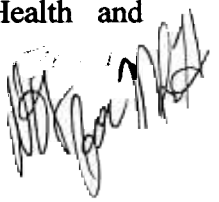
APPROVED

Date: 8-18-98

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

Prepared by: Department of Health and
Human Services

For reading: July 21, 1998



ANCHORAGE, ALASKA

AO NO. 98- 124

AN ORDINANCE AMENDING AND RENUMBERING ANCHORAGE MUNICIPAL CODE SECTION 15.05.160 TO SECTION 15.55.055, AMENDING SECTION 15.65.010 AND ENACTING A NEW SECTION 15.65.033 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, as defined in section 15.65.010, 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 disposal system, the transferor shall obtain a certificate of health authority approval, as defined in section 15.65.010, from the Department.

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 disposal system.

C. Where an on-site wastewater disposal system does not conform to state and/or municipal laws, but no health material hazard is posed by postponing correction of the wastewater disposal 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 3. Anchorage Municipal Code section 15.65.010 is hereby amended by amending the definition of "Health authority certificate" to read as follows:

15.65.010 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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Certificate of health authority approval [CERTIFICATE] means a written confirmation signed by an engineer and the department certifying that the on-site sewer or water system serving a single-family dwelling is functional and complies with all state and local regulations and codes. In the event of inconsistency among these regulations and codes, the most restrictive shall apply.

Section 4. This ordinance shall become effective immediately upon its passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 18th day of August, 1998.


Chair of the Assembly

ATTEST:


Municipal Clerk