

## 9.12 WATER QUALITY

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Statutory provisions for water pollution control - See chapter 90.48 RCW

9.12.005 Purpose. The purpose of this chapter is to protect the county's surface water and groundwater quality by providing minimum requirements for reducing and controlling the discharge of contaminants. The county council recognizes that water quality degradation can result either directly from one discharge or through the collective impact of many small discharges. Therefore, this chapter prohibits the discharge of contaminants into surface water, stormwater or groundwater, and outlines preventive measures to restrict contaminants from entering those waters. These measures include the implementation of best management practices (BMPs) by the residents and businesses of King County.

The county council finds this chapter is necessary to protect the health, safety and welfare of the residents of King County and the integrity of the county's resources for the benefit of all by: minimizing or eliminating water quality degradation; preserving and enhancing the suitability of waters for recreation, fishing, and other beneficial uses; and preserving and enhancing the aesthetic quality and biotic integrity of the water. The county council recognizes that implementation of this chapter is required under the federal Clean Water Act, 33 U.S.C. 1251 et. seq., and chapter 90.48 RCW. In meeting the intent of the Clean Water Act and chapter 90.48 RCW, the county council also recognizes the importance of maintaining economic viability while providing necessary environmental protection and believes this chapter helps achieve both goals. (Ord. 18257 § 8, 2016: Ord. 11624 § 5, 1994: Ord. 10636 § 2, 1992).

9.12.015 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "AKART" means "all known, available and reasonable methods of prevention, control and treatment." "AKART" represents the most current methodology that can be reasonably required for preventing, controlling or abating the pollutants associated with a discharge. "AKART" applies to both point and nonpoint sources of pollution.

B. "Best management practice" or "BMP" means any schedule of activities, prohibition of practices, maintenance procedure, or structural or managerial practice approved by King County that, when used singly or in combination, prevents or reduces the release of pollutants and other adverse impacts to surface water, stormwater and groundwater.

C. "Cease discharge order" means a written order to immediately cease the activity or activities causing or contributing to the discharge of a prohibited substance to stormwater, surface water, groundwater or the conveyance system, or to any combination thereof. A cease discharge order is a form of a stop work order under K.C.C. chapter 23.28.

D. "Chapter" means this chapter and any administrative rules and regulations adopted to implement this chapter.

E. "Clean Water Act" means 33 U.S.C. 1251 et. seq., as amended.

F. "Conveyance system" means the drainage facilities and features, both natural and constructed that provide for the collection and transport of surface water or stormwater runoff. The natural elements of the "conveyance system" include swales and small drainage courses, streams, rivers, lakes and wetlands. The constructed elements of the "conveyance system" include gutters, ditches, pipes, catch basins, channels and most flow control and water quality facilities.

G. "Director" means the director of the King County department of natural resources and parks, other department directors specified in enforcement procedures established in accordance with this chapter, or the authorized representatives of those directors, including compliance officers and inspectors whose responsibility includes the detection and reporting of civil code violations, as defined in K.C.C. 23.02.010.

H. "Discharge" means throw, drain, release, dump, spill, empty, emit, or pour forth any matter or to cause or allow matter to flow, run or seep from land or be thrown, drained, released, dumped, spilled, emptied, emitted or poured into water.

I. "Drainage facility" has the same meaning as in K.C.C. 9.04.020.

J. "Farm management plan" means a comprehensive site-specific plan developed by the farm owner in cooperation with the King Conservation District taking into consideration the land owners objectives while protecting water quality and related natural resources.

K. "Forest practices" means any activity conducted on or directly pertaining to forest land and relating to growing, harvesting, or processing timber, as defined in chapter 222-16 WAC.

L. "Groundwater" means all water found in the soil and stratum beneath the land surface or beneath the bed of any surface water.

M. "Illicit connection" means any human-made connection to the storm drain system, surface water or groundwater that the director determines based on an investigation or other evidence is not

composed entirely of stormwater. For the purposes of this subsection, "human-made connections" include, but are not limited to, sanitary sewer connections, floor drains, channels, pipelines, conduits, inlets, hoses, above-ground piping or outlets, that discharge directly to the storm drain system, surface water or groundwater.

N. "National Pollutant Discharge Elimination System" or "NPDES" means the national program for controlling pollutants from point source discharges directly into waters of the United States under the Clean Water Act.

O. "National Pollutant Discharge Elimination System permit" means an authorization, license or equivalent control document issued by the United States Environmental Protection Agency or the Washington state Department of Ecology to implement the requirements of the NPDES program.

P. "Normal single family residential activities" means activities that are ordinarily associated with domestic residential uses and that ordinarily occur on a single family residential property. "Normal single family residential activities" include but are not limited to washing and repair of personal vehicles and boats; storage and disposal of solid and yard wastes; use, storage and disposal of hazardous wastes; gardening and lawn care; home maintenance and repair; and swimming pool and hot tub maintenance. "Normal single family residential activities" do not include commercial business activities that are not associated with domestic residential uses or that do not ordinarily occur on a single family residential property.

Q. "Person" means an individual and the person's agent or assign, municipality, political subdivision, government agency, partnership, corporation, business or any other entity.

R. "Prohibited discharge" also known as an illicit discharge, means any direct or indirect act of discharging anything other than stormwater to the conveyance system, stormwater, surface water or groundwater, except as expressly allowed by this chapter.

S. "Responsible party" means the owner, operator or occupant of property; or any person causing or contributing to an action prohibited by this chapter.

T. "Source control BMP" means a BMP intended to prevent contaminants from entering surface water, stormwater or groundwater including the modification of processes to eliminate the production or use of contaminants. "Source control BMPs" can be either structural or nonstructural. Structural source control BMPs involve the construction of a physical structure on site, or other type of physical modification to a site. An example of a structural source control BMP is building a covered storage area. A nonstructural source control BMP involves the modification or addition of managerial or behavioral practices. An example of a nonstructural source control BMP is using less toxic alternatives to current products or sweeping parking lots.

U. "State Waste Discharge Permit" means an authorization, license, or equivalent control document issued by the Washington state Department of Ecology in accordance with chapter 173-216 WAC and under the authority of chapter 90.48 RCW.

V. "Stormwater" means the water produced during precipitation or snowmelt that runs off, soaks into the ground or is dissipated into the atmosphere. Stormwater that runs off or soaks into the ground ultimately becomes surface water or groundwater.

W. "Stormwater Pollution Prevention Manual" means the manual adopted in accordance with K.C.C. chapter 2.98, and supporting documentation referenced or incorporated in the manual, describing BMPs and procedures for existing facilities and existing and new activities not covered by the Surface Water Design Manual.

X. "Surface water" means the water that exists on land surfaces before, during and after stormwater runoff occurs and includes, but is not limited to, the water found on ground surfaces and in drainage facilities, rivers, streams, springs, seeps, ponds, lakes, wetlands and Puget Sound. It also includes shallow groundwater.

Y. "Treatment BMP" means a BMP intended to remove contaminants once they are already introduced into stormwater. Examples of treatment BMPs include oil/water separators, biofiltration swales and wetponds. (Ord. 18481 § 1, 2017: Ord. 18257 § 9, 2016: Ord. 15052 § 6, 2004: Ord. 14199 § 134, 2001: Ord. 11624 § 5, 1994: Ord. 10636 § 3, 1992).

#### 9.12.025 Discharges into King County waters.

A.1. It is unlawful for any person to discharge any contaminants into the conveyance system, surface water, stormwater or groundwater. Contaminants include, but are not limited, to the following:

- a. trash or debris;
- b. construction materials;
- c. petroleum products including but not limited to oil, gasoline, grease, fuel oil, heating oil;
- d. antifreeze and other automotive products;
- e. metals in either particulate or dissolved form;
- f. flammable or explosive materials;
- g. radioactive material;
- h. batteries;
- i. acids, alkalis or bases;
- j. paints, stains, resins, lacquers or varnishes;
- k. degreasers and solvents;
- l. drain cleaners;
- m. pesticides, herbicides or fertilizers;
- n. steam cleaning wastes;
- o. soaps, detergents or ammonia;
- p. swimming pool or spa filter backwash;

- q. chlorine, bromine and other disinfectants;
- r. heated water;
- s. domestic animal wastes;
- t. sewage;
- u. recreational vehicle waste;
- v. animal carcasses;
- w. food wastes;
- x. bark and other fibrous materials;
- y. collected lawn clippings, leaves or branches;
- z. silt, sediment or gravel;
- aa. dyes, except as stated in subsection C.1. of this section;
- bb. chemicals not normally found in uncontaminated water; and
- cc. any hazardous material or waste not listed in subsection A.1.a. through bb. of this section.

2. Illicit connections are prohibited.

3. The following connections are not considered illicit connections:

- a. connections conveying stormwater or allowable discharges as described in K.C.C.

9.12.025.C.;

b. connections conveying allowable discharges pursuant to an NPDES or State Waste Discharge permit; and

- c. connections conveying effluent from onsite sewage disposal systems to subsurface soils.

B. BMPs shall be applied to any business or residential activity that might result in prohibited discharges as specified in the Stormwater Pollution Prevention Manual or as determined necessary by the director. Activities that might result in prohibited discharges include but are not limited to following:

1. Potable water line flushing;
2. Lawn watering with potable water;
3. Dust control with potable water;
4. Automobile and boat washing;
5. Pavement and building washing;
6. Swimming pool and hot tub maintenance;

7. Auto repair and maintenance;
8. Building repair and maintenance;
9. Landscape maintenance;
10. Hazardous waste handling;
11. Solid and food waste handling; and
12. Application of pesticides.

C. The following types of discharges shall not be considered prohibited discharges for the purpose of this chapter unless the director determines that the type of discharge, whether singly or in combination with other discharges, is causing significant contamination of surface water, stormwater or groundwater:

1. Spring water;
2. Diverted stream flows;
3. Uncontaminated water from crawl space pumps, foundation drains or footing drains;
4. Lawn watering with potable water or collected rainwater;
5. Pumped groundwater flows that are uncontaminated;
6. Materials placed as part of an approved habitat restoration or bank stabilization project;
7. Natural uncontaminated surface water or groundwater;
8. Flows from riparian habitats and wetlands;
9. The following discharges from boats: engine exhaust; cooling waters; effluent from sinks; showers and laundry facilities; and treated sewage from Type I and Type II marine sanitation devices;
10. Collected rainwater that is uncontaminated;
11. Uncontaminated groundwater that seeps into or otherwise enters stormwater conveyance systems;
12. Air conditioning condensation;
13. Irrigation water from agricultural sources that is commingled with stormwater runoff;
14. Nonstormwater discharges authorized by another NPDES or State Waste Discharge Permit;
15. Discharges from emergency fire-fighting activities; and
16. Other types of discharges as determined by the director.

D.1. Dye testing is allowable but requires verbal notification to the King County water and land resources division at least one day prior to the date of test. The King County department of public health is exempt from this requirement.

2. A person does not violate subsection A. of this section if:

a. That person has properly designed, constructed, implemented and is maintaining BMPs and is carrying out AKART as required by this chapter, but contaminants continue to enter surface water, stormwater or groundwater; or

b. That person can demonstrate that no additional contaminants are being discharged from the site above the background conditions of the water entering the site.

3. Subsection D.2. of this section does not excuse from liability any prohibited discharges resulting from illicit connections, dumping, spills, improper maintenance of BMPs or other discharges that allow contaminants to enter surface water, stormwater, groundwater or the conveyance system.

4. Emergency response activities or other actions that must be undertaken immediately or within a time too short to allow full compliance with this chapter in order to avoid an imminent threat to public health or safety, shall be exempt from this section. The director, by public rule, may specify actions that qualify for this exception in county procedures. A person undertaking emergency response activities shall take steps to ensure that the discharges resulting from such activities are minimized. In addition, such a person shall evaluate BMPs and the site plan, where applicable, to restrict recurrence. (Ord. 18481 § 2, 2017: Ord. 18257 § 10, 2016: Ord. 16264 § 4, 2008: 15052 § 7, 2004: Ord. 14199 § 135, 2001: Ord. 11624 § 5, 1994: Ord. 11624 § 2, 1994: Ord. 10636 § 4, 1992).

#### 9.12.035 Stormwater Pollution Prevention Manual.

A. Compliance with this chapter shall be achieved through the use of the BMPs described in the Stormwater Pollution Prevention Manual. In applying the Stormwater Pollution Prevention Manual, the director shall first require the implementation of source control BMPs. If these are not sufficient to prevent contaminants from entering surface water, stormwater or groundwater, the director may require implementation of treatment BMPs as set forth in AKART. The King County water and land resources division will provide, upon reasonable request, available technical assistance materials and information, and information on outside financial assistance options to persons required to comply with this chapter.

B. In applying the Stormwater Pollution Prevention Manual to prohibited discharges from normal single family residential activities, the director shall use public education and warnings as the primary methods for gaining compliance with this chapter and shall not use citations, notice and orders, assessment of civil penalties and fines, or other compliance actions as authorized in K.C.C. 23.02.040, unless the director determines:

1. The discharge from a normal single family residential activity, whether singly or combination with other discharges, is causing a significant contribution of contaminants to surface water, stormwater or groundwater; or

2. The discharge from a normal single family residential activity constitutes a hazard as set forth in K.C.C. 9.12.060.

C. Any person implementing BMPs through another federal, state or local program will not be required to implement the BMPs prescribed in the county's Stormwater Pollution Prevention Manual, unless the director determines that the other program's BMPs are ineffective at reducing the discharge of contaminants or not being implemented. If the other program requires the development of a stormwater pollution prevention plan or other BMP plan, the person shall make the plan available to King County upon request. Other federal, state, and local programs include, but are not limited to any of the following:

1. General or individual NPDES permit from the Washington state Department of Ecology or the United States Environmental Protection Agency;
2. A King Conservation District-approved farm management plan;
3. Activities authorized under K.C.C. chapter 21A.30;
4. The county's municipal stormwater management program;
5. Forest practices under chapter 76.09 RCW, with the exception of forest practices occurring on lands platted after January 1, 1960, or on lands being converted to another use or when regulatory authority is otherwise provided to local government by RCW 76.09.240; or
6. State Waste Discharge General Permit, under the authority of chapter 90.48 RCW; or
7. Other programs identified by the director. (Ord. 18257 § 11, 2016: Ord. 16264 § 5, 2008: Ord. 15052 § 8, 2004: Ord. 14199 § 136, 2001: Ord. 11624 § 5, 1994: Ord. 11624 § 3, 1994: Ord. 10636 § 5, 1992).

9.12.045 Administration – rules and regulations – notice – authority of director – obligations of owner or person in control.

A. The director is authorized to implement this chapter. The director is authorized to promulgate and adopt administrative rules and regulations under the procedures specified in K.C.C. chapter 2.98 for the purpose of implementing and enforcing this chapter. The director shall coordinate the implementation and enforcement of this chapter with other departments of King County government. Administrative rules adopted in accordance with this section shall be posted to the websites of the department of local services, permitting division, and the department of natural resources and parks, water and land resources division, or their successors, as well as any other website maintained by the executive to provide the public access to adopted public rules. The director should provide email notification to the council when an administrative rule adopted in accordance with this section has been posted to the websites. The email notification shall be sent to the clerk of the council, who shall retain the original email and provide an electronic copy to all councilmembers, the council chief of staff, the policy staff director and the lead staff for the transportation, economy and environment committee, or its successor.

B. Whenever necessary to make an inspection to enforce any provision of this chapter, to monitor for proper implementation of BMPs or whenever the director has reasonable cause to believe that violations of this chapter are occurring, the director may enter the premises at all reasonable times

to inspect or perform any duty imposed by this chapter; but if the premises are occupied, the director shall first make a reasonable effort to locate the owner or other person in control of any building, structure, property or portion thereof and seek entry. Unless entry is consented to by the owner or other person in control of any building, structure, property or portion thereof, or conditions are believed to exist which create a threat of immediate and substantial harm, the director, before entry, shall obtain a search warrant as authorized by the laws of the state of Washington. The director should provide email notification to the council in a timely manner after entering a property without permission. The email notification shall be sent to the clerk of the council, who shall retain the original email and provide an electronic copy to all councilmembers, the council chief of staff, the policy staff director and the lead staff for the transportation, economy and environment committee, or its successor. (Ord. 18791 § 61, 2018: Ord. 18257 § 12, 2016: Ord. 14199 § 137, 2001: Ord. 11624 § 5, 1994: Ord. 10636 § 6, 1992).

#### 9.12.050 Enforcement.

A. The director is authorized to carry out enforcement actions pursuant to the enforcement and penalty provisions of K.C.C. 9.12.090 and K.C.C. Title 23 and other enforcement provisions adopted by rule under the procedures of K.C.C. chapter 2.98.

B. The director shall gain compliance with this chapter by requiring the implementation of BMPs and, when necessary, AKART. The director shall initially use education and technical assistance as much as possible to gain compliance with this chapter, unless the director determines a violation is a result of a flagrant act that should be addressed through immediate penalties or constitutes a hazard as set forth in K.C.C. 9.12.060.

C. The director, in consultation with other departments of King County government, shall develop and implement additional enforcement procedures. The procedures shall indicate how the county will investigate and respond to reports or instances of noncompliance with this chapter and shall identify by title the official or officials responsible for implementing the enforcement procedures.

D.1. The director may perform such inspections and take any actions necessary to enforce this chapter.

2. The director may observe the implementation of BMPs or examine or sample surface water, stormwater or groundwater as often as necessary to determine compliance with this chapter. Whenever an inspection of a property is made, observed violations shall be documented and this documentation provided to the responsible party.

3. When the director determines under subsection D.2. of this section that a person is violating this chapter, the director may require the violator to sample and analyze any discharge, surface water, stormwater, groundwater or sediment, or any combination thereof, in accordance with sampling and analytical procedures or requirements determined by the director. If the violator is required to complete this sampling and analysis, a copy of the analysis shall be provided to the King County water and land resources division.

E. In addition to any other penalty or method of enforcement, the prosecuting attorney may bring actions for injunctive or other relief to enforce this chapter.

F. Enforcement actions taken under this section shall be subject to the appeal procedures in K.C.C. Title 23. (Ord. 18481 § 3, 2017: Ord. 18257 § 13, 2016: Ord. 14199 § 138, 2001: Ord. 11624 § 5, 1994: Ord. 11624 § 4, 1994: Ord. 10636 § 7, 1992).

#### 9.12.060 Hazards.

A. The director may determine that any violation of this chapter constitutes a hazard if the violation:

1. Poses a threat to public health, safety or welfare; or
2. Endangers any property; or
3. Adversely affects the safety and operation of any county right of way, utilities, or other property owned or maintained by the county.

B. Upon determining that a violation constitutes a hazard, the director shall immediately notify the responsible party and shall provide a verbal or written determination of the hazard that specifies the date by which the hazard shall be corrected.

C. Upon receipt of the director's written hazard determination, the responsible party shall correct the hazard by the date specified.

D. Notwithstanding any other provisions of this chapter, upon reasonable belief that any of the conditions described in K.C.C. 9.12.060.A.1. and A.3. exist, the director may enter at all times in or upon any public or private property for the purpose of investigating the existence of a hazard.

E. The director may without prior notice require the immediate discontinuance of any violation causing the hazard. Failure to comply shall constitute a willful violation of this chapter. (Ord. 18257 § 14, 2016: Ord. 11624 § 5, 1994: Ord. 10636 § 8, 1992).

9.12.070 Criminal penalty. Any willful violation of an order issued pursuant to Section 9.12.050 or Section 9.12.060 of this chapter for which a criminal penalty is not prescribed by state law is a misdemeanor. (Ord. 11624 § 5, 1994: Ord. 10636 § 9, 1992).

9.12.080 Corrective actions, compliance, civil penalties, liability. The enforcement provisions for water quality are intended to encourage compliance with this chapter. To achieve this, responsible parties will be required to take corrective action and comply with this chapter, and may be required to pay a civil penalty and restitution payment for the redress of ecological, recreational and economic values lost or damaged due to their unlawful action.

A. The provisions in this section are in addition to and not in lieu of any other penalty, sanction or right of action provided by law.

B. Any responsible party in violation of this chapter shall be subject to civil penalties assessed as follows:

1. An amount reasonably determined by the director to be equivalent to the economic benefit the responsible party derives from the violation as measured by: the greater of the resulting increase in market value of the property or business value received or savings of construction or retrofitting costs realized; and

2. An amount of civil penalties, not to exceed ten thousand dollars per violation per day, that is reasonably based upon the criteria of subsection E.1. through 8. of this section. The director is hereby authorized to utilize in the form of a point-based penalty matrix that increases the penalty assessed as the seriousness of the violation increases. The point-based penalty matrix shall be adopted together with guidance for compliance officers and inspectors through the rule-making procedures of K.C.C. chapter 2.98. In addition to the notification procedures required by K.C.C. chapter 2.98, for the initial rule making under this section, the director shall:

- a. hold a public meeting to take comments on the draft rule;
- b. provide notice to the clerk of the council and each member of the county council regarding the date, time and location of such meeting at least thirty days in advance of the meeting; and
- c. provide notice to the clerk of the council and each member of the county council of proposed revisions to the initially drafted rule at least fifteen days prior to adoption of the final rule.

C. Any person who, through an act of commission or omission, aids or abets in a violation shall be considered to have committed the violation for the purposes of the civil penalty.

D. In addition to civil penalties, a responsibility party whose violation of this chapter causes damage to or impairs a drainage facility, or causes damage to physical, chemical, or biological systems of waters of the state or waters of the United States, shall be liable to and reimburse the county for any restitution, damage, cost and expense caused by such a violation or discharge.

E. Each responsible party is jointly and severally liable for a violation of this chapter. The director may take enforcement action, in whole or in part, against any responsible party. The decisions of whether to take enforcement action, what type of action to take, and which person to take action against, are all entirely within the director's discretion. Factors to be used in taking such enforcement actions shall include whether or not:

1. The violation caused any environmental or resource damage;
2. Action was taken to remedy the problem after a violation occurred;
3. It was a willful or knowing violation;
4. The violation was a result of improper operation, inadequate maintenance or inadequate implementation of required BMPs or of a required plan that addresses stormwater management source control BMPs;
5. There is a history of compliance problems on the property or with the responsible party;
6. There is infrastructure damage or additional maintenance required of conveyance system, drainage facilities or right-of-way due to the violation;
7. There was an illicit connection; and
8. Anyone benefitted economically from noncompliance.

F. Civil penalties as provided for under subsection B.2. of this section shall be assessed daily for any failure to comply with a notice and order or a voluntary compliance agreement for the first thirty

days following the date the notice and order or voluntary compliance agreement that required the violation to have been corrected. If after thirty days the person responsible for correcting the violation has failed to do so, penalties shall be double that of the initial rate for each day thereafter, until the violation is corrected.

G. Civil penalties as provided for under subsection B.2. of this section that are assessed for a violation of a cease discharge order shall be applied daily for each day that the director determines that work or activity was done in violation of the cease discharge order.

H. In the event more than one person is determined to have violated this chapter, all applicable civil penalties may be imposed against each person, and recoverable damages, costs, and expenses may be allocated among the persons on any equitable basis. Factors that may be considered in determining an equitable allocation include:

1. Each person's:
  - a. culpability or degree of involvement in the violation;
  - b. awareness of the violation;
  - c. ability to correct the violation;
  - d. ability to pay damages, costs, and expenses;
  - e. cooperation with government agencies; and
2. Degree of impact or potential threat to water or sediment quality, human health, or the environment.

I. The director may engage in mitigation discussions with the responsible party. The director may reduce the penalties based upon one or more of the following mitigating factors:

1. The person responded to county attempts to contact the person and cooperated with efforts to correct the violation;
  2. The person showed due diligence or substantial progress, or both, in correcting the violation;
- or
3. An unknown person was the primary cause of the violation.

J. Payment of a monetary penalty under this chapter does not relieve the responsible party of the duty to correct the violation.

K. All civil penalties recovered during enforcement of this chapter shall be deposited into a fund of the division taking the enforcement action and, subject to appropriation, shall be used for the protection of surface water, stormwater or groundwater as set forth in this chapter, through education or other implementation procedures determined by the director.

L. Civil penalties assessed under this section may be appealed in accordance with the appeal and waiver procedures for civil penalties in K.C.C. chapter 23.32. (Ord. 18481 § 4, 2017: Ord. 18257 § 15, 2015: Ord. 16264 § 6, 2008: Ord. 11624 § 5, 1994: Ord. 10636 § 10, 1992).

9.12.090 Construction - Intent. This chapter is enacted as an exercise of the county's power to protect and preserve the public health, safety and welfare. Its provision shall be exempted from the rule of strict construction and shall be liberally construed to give full effect to the objectives and purposes for which it was enacted. This chapter is not enacted to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this chapter.

The primary obligation of compliance with this chapter is placed upon the person holding title to the property. Nothing contained in this chapter is intended to be or shall be construed to create or form a basis for liability for the county, the department, its officers, employees or agents for any injury or damage resulting from the failure of the person holding title to the property to comply with the provisions of this chapter, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this chapter by the county, department, its officers, employees or agents. (Ord. 11624 § 5, 1994: Ord. 10636 § 11, 1992).