
Fw: Request for Clarification of Revised Sewer Ordinance

From Rachael Fuller <rachael@ci.stevenson.wa.us>
Date Tue 7/14/2026 10:48 AM
To Daniel Pitariu <daniel@ci.stevenson.wa.us>

Daniel - FYI

From: Jenny Taylor <jenny.taylor@ci.stevenson.wa.us>
Sent: Tuesday, July 14, 2026 10:33 AM
To: rmuth <rmuth@kilmerlaw.com>; Rachael Fuller <rachael@ci.stevenson.wa.us>
Subject: Fwd: Request for Clarification of Revised Sewer Ordinance

Sent from my iPhone

Begin forwarded message:

From: Pat Rice <pat.rice2056@gmail.com>
Date: July 14, 2026 at 12:36:30 PM EDT
To: Jenny Taylor <Jenny.Taylor@ci.stevenson.wa.us>, City Council <citycouncil@ci.stevenson.wa.us>
Subject: Request for Clarification of Revised Sewer Ordinance

Dear Mayor Taylor and Council Members,

First, thank you for the considerable time and effort that has gone into revising the proposed sewer ordinance. I appreciate the changes that have been made over the past several drafts and the willingness of the Council and City Attorney to carefully consider public input. After reading the latest revised ordinance and then going back and reviewing the Council's June 18 discussion, I have one remaining concern that I hope can be clarified before the ordinance is adopted.

During the Council's discussion, considerable attention was given to the role of the Skamania County Health Department - not the City - in determining whether an existing on-site septic system (OSS) could be repaired.

For example, when discussing whether an existing septic system could be repaired, City Attorney Robert Muth explained:

"Again, that's up to public health... You submit your application, and public health says, 'Yes, this can be fixed.' That's the county's decision. We don't get that."

Immediately afterward, Brian McNamara expressed concern that this intent was not clearly reflected in the ordinance, noting that if the Health Department approved a repair, the ordinance should clearly allow it. Rather than disagreeing, Mr. Muth indicated that he would go back and review the language.

Later in the discussion, Mr. Muth summarized what appeared to be the intended trigger for mandatory sewer connection by stating:

"Public health red tags it and says, 'This is a failure. It's not repairable.' That's the trigger."

He then added:

"Yeah, no, I'll clean up C. It'll have two or three subdivisions in there based on the comments."

After reading the revised ordinance, however, I am concerned that the current language may not fully reflect the discussion that occurred on June 18.

Table 13.08.070-1 still appears to require connection to the public sewer whenever an existing development requires replacement, expansion, extension, resizing, or relocation of an existing OSS where public sewer is available. Likewise, Section 13.08.070(C) appears to require sewer connection in lieu of replacing, expanding, extending, resizing, relocating, or otherwise continuing use of an OSS once sewer is available.

My concern is simply that the ordinance, as currently drafted, can reasonably be read to require connection even when the County Health Department has determined that an existing septic system can legally and safely be repaired or modified. That does not appear to fully reflect the discussion that occurred during the June 18 Council meeting.

If the Council's intent is that the County Health Department remains the final authority regarding whether an existing OSS may be repaired, replaced, or expanded under applicable state and county regulations, I respectfully suggest that the ordinance be revised to make that point explicit. Doing so would eliminate uncertainty for both property owners and future City officials responsible for administering the ordinance. My goal is simply to avoid unintended ambiguity in the final ordinance so that future property owners, City staff, and future Councils all have the same understanding of when mandatory sewer connection is required.

If I have misunderstood the Council's intent, I would certainly appreciate the clarification. However, if my reading is correct, I believe a small revision to this section would make the ordinance clearer and better reflect the direction discussed during the June 18 meeting. I am not asking that the ordinance be changed substantively; rather, I am asking that the language clearly reflect what I understood to be the Council's intent as discussed during the June 18 meeting.

Thank you again for your time, your thoughtful consideration of public comments, and the work that has gone into improving this ordinance.

If possible, I would appreciate it if this email could be included in the Council packet.

Respectfully,

Pat Rice