

RESOLUTION
NO. 150-02
DATE EFFECTIVE: 10-16-2002

A RESOLUTION ESTABLISHING A SEDGWICK COUNTY ADVISORY BOARD FOR ONSITE WASTEWATER SYSTEM INSTALLATION AND MAINTENANCE, AND SANITARY SERVICE; PRESCRIBING THE NUMBER, QUALIFICATIONS AND MANNER OF APPOINTING ITS MEMBERS AND ESTABLISHING ITS RESPONSIBILITIES.

WHEREAS, K.S.A. 19-101A CONFERS HOME RULE POWERS ON THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY TO PERFORM ALL POWERS OF LOCAL LEGISLATION AND ADMINISTRATION IT DEEMS APPROPRIATE; AND

WHEREAS, THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY WISHES TO OBTAIN THE ADVISORY SERVICES OF LICENSED PROVIDERS OF ONSITE WASTEWATER SYSTEM INSTALLATION AND MAINTAINANCE AND OF SANITARY SERVICE;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY KANSAS:

Section 1. CREATION. There is hereby created the Sedgwick County Advisory Board for Onsite Wastewater System Installation and Maintenance and Sanitary Service (“the Advisory Board”).

Section 2. MEMBERSHIP AND TERM OF OFFICE. The Advisory Board shall consist of five (5) persons who shall be appointed as follows:

At least one (1) member who holds a current Sedgwick County license for onsite wastewater system installation and maintenance in Sedgwick County;

At least one (1) member who holds a current Sedgwick County license to provide sanitary service in Sedgwick County;

At least two (2) members who are members of the general public residing in the unincorporated area of Sedgwick County; and

At least one (1) member who holds a professional engineer’s license in the State of

Kansas and who practices in Sedgwick County.

Such Advisory Board members shall assume membership upon appointment to their respective positions of office or employment, and they will continue to serve thereon as long as they hold their said respective positions. Advisory Board members shall be appointed by and serve at the pleasure of the Sedgwick County Board of County Commissioners.

Appointments shall be for a period of four years commencing upon the date of the adoption of the appointing resolution.

Section 3. Meetings, Officers, Records. The Advisory Board shall convene for its meetings at the Sedgwick County Department of Code Enforcement at 1144 S. Seneca, Wichita, Kansas, or at other locations as designated by the Chair of the Advisory Board. The Advisory Board shall elect one member as its chair, and one member as its vice-chair. The terms of office of the Chair and Vice-Chair shall be for one year. The Director of the Department of Code Enforcement shall be an ex officio member of the Advisory Board and shall act as secretary to the Advisory Board but shall have no vote on any matter before the Advisory Board. The Director of the Department of Code Enforcement shall cause a proper record to be kept of all proceedings of the Advisory Board.

Section 4. Responsibilities. The purpose of the Advisory Board is to advise the Sedgwick County Board of County Commissioners and the Director of the Department of Code Enforcement on matters of policy and procedure regarding any matters related to the onsite wastewater system installation and maintenance and sanitary service. In support of same, the Advisory Board may:

(A) Recommend, when it deems necessary, operational policies and procedures for the Sedgwick County Board of County Commissioners, and also recommendations for implementation of those policies and procedures.

(B) Hear and decide appeals of orders, decisions or determinations made by the Director of the Department of Code Enforcement relative to the application and interpretation of Sedgwick County resolutions concerning onsite wastewater system installation and maintenance and sanitary service, including but not limited to decisions to deny or revoke any license or

permit issued by the Director of the Department of Code Enforcement for onsite wastewater system installation and maintenance and sanitary service.

(C) Adopt rules of procedure for conducting its business, and shall render all decisions in writing to the parties affected with a duplicate copy to the Director of the Department of Code Enforcement. Appeals from decisions of the Advisory Board may be taken to the Sedgwick County Board of County Commissioners.

Section 5. **Limitation on the Advisory Board's Power.** Other than that set out in Section 4(B) of this resolution, the Advisory Board shall have no other authority relative to interpretation of the Sedgwick County Code or resolutions concerning onsite wastewater system installation and maintenance or sanitary service nor shall the Advisory Board be empowered to waive requirements of those resolutions.

Section 6. **Effective Date.** This resolution shall take effect after publication. The clerk is hereby directed to publish this resolution once in the official county newspaper.

Commissioners present and voting were:

BETSY GWIN	_____
TIM R. NORTON	_____
THOMAS G. WINTERS	_____
CAROLYN MCGINN	_____
BEN SCIORTINO	_____

DATED this ___ day of _____, 2002.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

Ben Sciortino, Chairman
Fifth District

ATTEST:

APPROVED AS TO FORM:

Don Brace

Robert W. Parnacott

County Clerk

Assistant County Counselor