

RESOLUTION 152-02

A RESOLUTION ESTABLISHING A SEDGWICK COUNTY ADVISORY BOARD OF ONSITE WASTEWATER SYSTEM INSTALLERS AND SEWAGE HAULERS; 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 ONSITE WASTEWATER SYSTEM INSTALLERS AND SEWAGE HAULERS;

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 of Onsite Wastewater System Installers and Sewage Haulers (“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 two (2) members who hold a current Sedgwick County license as an onsite wastewater system installer in Sedgwick County;

At least one (1) member who holds a current Sedgwick County license as a sewage hauler in Sedgwick County;

At least one (1) member who is a resident of the general public residing in the unincorporated area of Sedgwick County.

At least one (1) member who holds a professional engineers license in the state of Kansas and 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 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 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 Code Enforcement on matters of policy and procedure regarding any matters related to the onsite wastewater system installation, sewage hauling or septic tank cleaning. 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 Code Enforcement relative to the application and interpretation of Sedgwick County resolutions concerning onsite wastewater system installation, sewage hauling and septic tank cleaning, including but not limited to decisions to deny or revoke any license or permit issued under those resolutions.

(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 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), the Advisory Board shall have no other authority relative to interpretation of the Sedgwick County Code or resolutions concerning onsite wastewater system installation, sewage hauling and septic tank cleaning nor shall the Advisory Board be empowered to waive requirements of those resolutions.

Section 6. **Effective Date.** This resolution shall take effect after publication.

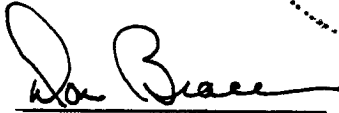
Commissioners present and voting were:

BETSY GWIN	<i>aye</i>
TIM R. NORTON	<i>aye</i>
THOMAS G. WINTERS	<i>aye</i>
CAROLYN MCGINN	<i>aye</i>
BEN SCIORTINO	<i>aye</i>

DATED this 16th day of October, 2002.



ATTEST:



Don Brace
County Clerk

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS



Ben Sciortino, Chairman
Fifth District

APPROVED AS TO FORM:



Robert W. Parnacott
Assistant County Counselor

Please publish Resolutions 150-02 and 152-02 once, Monday, October 21st, 2002. Mail five (5) affidavits of publication to:

Sedgwick County Purchasing Department
525 N. Main
Wichita, KS 67203

Thank you!

Lisa Davis
Deputy County Clerk

CASE NO. SG02-093
RESOLUTION 152-02

STATE OF KANSAS)
 ss.
County of Sedgwick)

Djuana Roth being first
duly sworn, Deposes and says: That he/she is
Legal Manager of

THE DERBY REPORTER

a daily newspaper printed in the State of Kansas,
and published in and of general circulation in
Sedgwick County, Kansas, with a general paid
circulation on a daily basis in Sedgwick County,
Kansas, and that said newspaper is not a trade,
religious or fraternal publication.

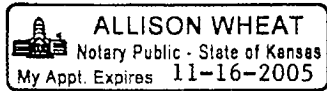
Said newspaper is a daily published Monday
through Friday, and has been so published con-
tinuously and uninterrupted in said county and
state for a period of more than five years prior to
the first publication of said notice, and has been
admitted at the post office of Derby, Kansas, in
said county as second class matter.

That the attached notice is a true copy there-
of and was published in the regular and entire
issue of said newspaper for 1 DAY the publica-
tion thereof being made as aforesaid on the
21ST day of OCTOBER, 2002.

Djuana Roth

Subscribed and sworn to before me this
22ND day of OCTOBER, 2002.

Allison Wheat
Notary Public



Printer's fee \$ 66.60

Additional copies \$ _____

SG02-093 (First Published in The Derby
Reporter, October 21, 2002)

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At least one (1) member who is a resi-
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unincorporated area of Sedgwick County.

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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
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and one member as its vice-chair. The
terms of office of the Chair and Vice-
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of Code Enforcement shall be an ex officio
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with a duplicate copy to the Director of
Code Enforcement. Appeals from deci-
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to the Sedgwick County Board of County
Commissioners.

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out in Section 4(B), the Advisory Board
shall have no other authority relative to
interpretation of the Sedgwick County
Code or resolutions concerning onsite
wastewater system installation, sewage
hauling and septic tank cleaning nor
shall the Advisory Board be empowered to
waive requirements of those resolutions.

Section 6. Effective Date. This reso-
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Commissioners present and voting
were:

- BETSY GWIN aye
- TIM R. NORTON aye
- THOMAS C. WINTERS aye
- CAROLYN MCGINN aye
- BEN SCIORTINO aye

DATED this 16th day of October,
2002.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS
Ben Sciortino, Chairman
Fifth District

ATTEST: (SEAL)
/s/Don Brace, County Clerk
APPROVED AS TO FORM:
/s/Robert W. Parnacott,
Assistance County Counselor
(O 21)