

**A RESOLUTION OF THE
LEWIS AND CLARK CITY COUNTY BOARD OF HEALTH**

**A RESOLUTION TO CREATE
AN ON-SITE WASTEWATER MAINTENANCE PROGRAM
IN LEWIS AND CLARK COUNTY**

Whereas, the 1991 Montana legislature found in Section 75-5-311, MCA (2003) that pollution and degradation of surface water and groundwater pose both immediate and long-term threats to the health, safety, and welfare of the citizens of this state; and

Whereas, the 1991 Montana legislature found that policies and programs to protect groundwater contamination must be implemented because of the expense and difficulty of groundwater rehabilitation and cleanup and because of the need to protect drinking water supplies; and

Whereas, the Montana legislature provided in Section 50-2-116, MCA (2003) the authority to Local Boards of Health to adopt rules for the maintenance of sewage treatment systems that do not discharge an effluent directly into state waters and that are not required to have an operating permit as required by rules adopted under 75-5-401, MCA (2003); and

Whereas, the Lewis and Clark City-County Board of Health will create an education based program called the Lewis and Clark County On-Site Wastewater Maintenance Program and is intended to preserve and protect the quality of surface water and groundwater in Lewis and Clark County; and

Whereas, the Program will include all of Lewis and Clark County.

Therefore, be it resolved, the Lewis and Clark City County Board of Health establishes the Lewis and Clark County On-Site Wastewater Maintenance Program. The Lewis and Clark County On-Site Wastewater Maintenance Program will become effective July 1, 2005.

Be it further resolved, the Program will operate out of the Lewis and Clark City-County Health Department Environmental Health Division. The Program will hire an environmental health specialist to 1.) initiate a homeowner and potential home buyer education program regarding on-site wastewater issues, 2.) create and maintain a database of all individual and multiple-user on-site wastewater systems in Lewis and Clark County, 3.) encourage septic tank pumping on a schedule and maintain septic tank pumping records, 4.) work with neighborhoods and communities on wastewater issues.

Be it further resolved, funding for the program will be sought from multiple sources with the initial funding coming from a surcharge added to the cost of septic waste disposal at the Helena Wastewater Treatment Plant. A memorandum of understanding between the City of Helena and Lewis and Clark County will govern how the fees are collected and transferred to the County.

Dated this 26th day of May, 2005.

Lewis and Clark City-County Board of Health

Jennifer Wintersteen

Jennifer Wintersteen, Chair