



# Municipality of Anchorage

*Matt Claman, Acting Mayor*



## ON-SITE SYSTEMS TECHNICAL REVIEW BOARD MINUTES OF MEETING

**Date:** February 11, 2009

**Members Present:** Joel Neimeyer, Chairman  
Lori Davey  
Linda Kovac  
Mark Musial  
Matt Edge  
Scott Hattenburg

**Staff Present:** Dan Roth  
Deb Wockenfuss  
Vicki Gonzalez

**Guests:** Bill Rieth, A.D.E.C.  
Tom Varney, Anchorage Tank

The meeting was called to order at 11:40 a.m. by Chairman Neimeyer. All members were introduced.

Approval of minutes: The minutes of the October 2008 meeting were approved.

Mr. Roth wanted to review changes he made to section 15.65.050 of the Wastewater Code however, due to technical problems with the computer system, he was unable to do so.

Mr. Roth told the group about the recent layoffs in the Development Services Department and how the workflow in the area will now be revamped and improved.

### New Business

1. Mr. Roth began a discussion on the requirements for a COSA at the time of a title transfer on a home. Currently, the code states it is the responsibility of the seller to obtain the COSA at time of transfer. Mr. Roth feels that this is an issue needing attention because many homes are being sold and the COSA requirement is not being met. Enforcement is not likely because if a seller leaves the state, we cannot locate them. If the seller stays in the state, MOA Legal has determined it is "selective enforcement". If the department doesn't go after violators who leave, how can we punish the ones who stay? Mr. Roth wants to change the language in the current code to take the responsibility off the owner and put it on the occupant of the home, whether it is the owner, the buyer, or a tenant renting the property.

There was much discussion in the group concerning who should ultimately be responsible. Some members felt the responsibility should not have to fall onto a renter. It was also the opinion of the board that an unsuspecting buyer would have legal options available to them if full disclosure of the

requirement was not made before title transfer. The board felt that the brokers, realtors, and title companies should bear some responsibility for selling homes without full disclosure. Mr. Roth agreed to send correspondence to MLS outlining the requirement for the COSA at time of title transfer and notifying them of their responsibility to disclose this information to all parties involved in a title transfer.

MOTION made and approved to adopt new wording for Section 15.65.033 to read as follows:

"Prior to transfer by gift, deed, or contract of any ownership or use interest in a privately owned, on-site wastewater disposal system, a COSA as defined in section 15.65.010 shall be obtained from the Department.

If a COSA was not obtained prior to title transfer, the system shall be deemed out of compliance until such time as one is obtained."

2. Mr. Neimeyer wanted to know the status of the Hillside District Plan. Ms. Davey responded that it is still in the public review phase and she didn't think the Tech Board should wait to revise the septic code. She also felt the septic code review process was taking a long time. Ms. Kovac stated that the Title 21 rewrite is going to also take a long time. Mr. Roth said he had sent the group Section 15.65.050 with his recommended changes. In order to speed up the septic code rewrite, he will make recommendations section by section and send them to the group for review and comment prior to each meeting.
3. There was a brief discussion on manhole requirements on septic tanks.

Meeting was adjourned at 1:05 p.m.