

CLARKE COUNTY BOARD OF HEALTH

CLARKE COUNTY, IOWA

RULES AND REGULATIONS

CHAPTER 01

ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS

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01.01 DEFINITIONS. For use in this chapter the following terms are defined:

1. "County Sanitarian" means the Clarke County Sanitarian.
2. "Department" means the Iowa Department of Natural Resources.
3. "Public Sewer" means a wastewater treatment and disposal facility owned and operated by a corporate public entity such as a city or sanitary sewer district.
4. "On-Site Wastewater Treatment and Disposal System" means all equipment and devices necessary for the proper conduction, collection, storage, treatment and disposal of wastewater from a dwelling or other facility serving the equivalent of fifteen (15) persons or less.
5. "Professional Soil Analyst" means a knowledgeable person evaluating the soil factors, including, but not necessarily limited to, color, texture and structure in order to determine an equivalent percolation rate. "Knowledgeable" shall be defined as providing proof to the County Sanitarian of demonstrated training and experience in soil morphology.
6. All terms defined in Chapter 69.1(2) of the Iowa Administrative Code 567, shall be defined the same for these regulations.

2. GENERAL REQUIREMENTS.

1. **Discharge Restrictions.** It is prohibited for any household drainage and/or sewage, to discharge to any ditch, stream, lake, pond, natural or artificial waterway, county drain tile, surface water drain tile, or to the surface of the ground. Such waste material shall be disposed of in such a sanitary manner as is prescribed by these regulations.
 2. **State Code Adopted.** All on-site wastewater treatment and disposal systems located in the County, including the corporate boundaries of incorporated cities and towns, shall be constructed and equipped in accordance with the specifications and requirements set forth by the Department in the most current edition of the Iowa Administrative Code 567, Chapter 69, and to such additional requirements as are prescribed by regulations of the Board of Health.
 3. **Permit Required.** No person shall begin construction or repair of any on-site wastewater treatment and disposal system for any purpose in the County without first having obtained a permit as set out in this chapter. The permit for installation of the on-site wastewater treatment and disposal system shall be obtained prior to the construction of, or addition to, any dwelling or building to be served by this system.
 4. **Alteration Requires Compliance.** No person shall begin construction, reconstruction, alteration, or repair of any on-site wastewater treatment and disposal system until the owner has complied with all of the applicable regulations of the Board of Health and the Iowa State Department of Natural Resources.
 5. **Connection of Public Sewer.** No on-site wastewater treatment and disposal system shall be installed when a public sewer is reasonably accessible, as determined by the Board of Health.
3. PERMIT REQUIREMENTS.
1. **Permit Application.** Any person desiring a permit must file with the County Sanitarian an application stating the owner's name, current mailing address, phone number, and other information as required by the Board of Health on the most current application form available at the office of the County Sanitarian.
 2. **Professional Soil Analysis or Percolation Test Required.** Application for a permit to construct, reconstruct, alter, or repair a subsurface absorption system in the County shall also include the results of a professional soil analysis or percolation test performed by a professional soil analyst or a licensed engineer. The percolation test or professional soil analysis must be performed in accordance with the procedures set forth in Chapter 69 of the Iowa Administrative Code 567.

3. **Sketch Required.** The application must also include a sketch of the property with approximate dimensions showing the dwelling served, the location of any wells on the property, the location of any wells on neighboring property which might be affected by the system, as well as a sketch of the proposed system to be installed. Any deviation from the plans or specifications appearing on the application must be approved by the Board of Health.
4. **Fee Requirement.** Upon approval of the application by the County Sanitarian, the permit will be issued upon payment of the required applicable fees made payable to Clarke County Environmental Services.
5. **Fees.** See separate fee schedule at the end of the County regulations for a detailed listing of the fees.
6. **Permit Posted.** The permit must be maintained on the site before and during construction. This permit shall be signed by the County Sanitarian upon final approval.
7. **Valid Period.** Permits shall have validity for a maximum of twelve (12) months from the time of issuance, during which time the on-site wastewater treatment and disposal system shall be completed. If system is not completed during this time period, another permit shall be obtained in accordance with these rules and regulations.

01.04 INSPECTION.

1. **Notification.** The County Sanitarian shall be notified orally, by telephone or in person, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday and not less than twenty-four (24) hours before the work is to be inspected or tested. Inspections should be scheduled during normal working hours.
2. **Inspection.** No part of any private sewage disposal system shall be used, covered or constructed so as to deny or impede the mandatory inspection by the County Sanitarian. An on-site wastewater treatment and disposal system is considered “ready for inspection” when the house sewer, septic tank, distribution box, and lateral pipe are in place but not covered.
3. **Inspection of Existing Systems.** If an existing on-site wastewater treatment and disposal system is being repaired, altered, reconstructed, or a new system is being installed to replace an existing system, the building to be served by this system must be connected to the building sewer before inspection is made.

4. **Drawing Required.** When the on-site wastewater treatment and disposal system has been completed, a drawing must be submitted to the County Sanitarian showing the exact layout of the septic tank, all distribution boxes, the secondary treatment system, and location of the structure to be served by the system. This drawing must have dimensions from two (2) fixed corners of the dwelling or structure to the center of the septic tank(s) and center of the distribution box(es). The location of all wells must also be shown. Said drawing must be approved by the County Sanitarian.

01.05 PROPERTY TRANSFER INSPECTION.

1. Upon request, an inspection of the on-site wastewater treatment and disposal system located upon any property changing ownership will be conducted by the County Sanitarian in order to determine if said system complies with these rules and regulations.
2. The party requesting an inspection shall pay an inspection fee upon receipt of the Sanitarian's inspection report. All fees are listed on a separate fee schedule and can be obtained from the County Sanitarian.
3. Any on-site wastewater treatment and disposal system which was installed under County permit, or passed County inspection within two (2) years prior to sale or transfer, is exempt from further inspection until the next change of ownership.

01.06 WELLS. If an on-site wastewater treatment and disposal system is to be constructed, reconstructed, altered, or repaired, and a well is located less than the minimum distances set forth in the Iowa Administrative Code 567, Chapter 69.1(6), then the well must be abandoned and properly plugged. The well must be plugged according to rules established in the Iowa Administrative Code 567, Chapter 39, "Requirements for Properly Plugging Abandoned Wells".

01.07 VARIANCES. Variances to these regulations may be granted by the Board of Health, provided sufficient and proposed alternative information is afforded to substantiate the need and propriety for such action. Variances shall be requested in writing and addressed to the Board of Health. All decisions regarding this topic shall be issued in writing to the requestor.

01.08 SEVERABILITY. Each section, paragraph, sentence, clause and provision of these rules and regulations is separate and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of these rules and regulations nor any part thereof other than that part affected by such decision.

01.09 APPEAL. Any person who feels aggrieved by any notice or order made by the County Sanitarian or the Board of Health shall have the right to appeal to the Board of Health

at the next regular meeting. The Board of Health by majority vote may modify, withdraw, or order compliance with said notice or order.

01.10 PENALTIES. Chapter 137, Section 137.21 of the Code of Iowa specifies: “Any person who violates any provision of this chapter or the rules of a local board or any lawful order of said board, its officers, or authorized agents shall be guilty of a simple misdemeanor. Each additional day of neglect or failure to comply with such provision, rule or lawful order after notice of violation by the local board shall constitute a separate offense.”
