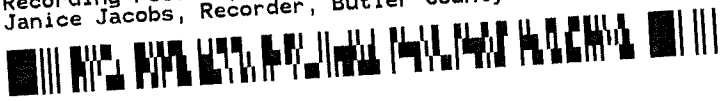
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Public

TITLE V, ORDINANCE #9 - HEALTH REGULATIONS

PRIVATE SEWAGE DISPOSAL SYSTEMS

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Section I - Definitions

For use in this chapter the following terms are defined:

1. ***County Sanitarian*** means the person appointed by the Butler County Board of Health to supervise private sewage disposal systems.

2. ***Department*** means the Iowa Department of Natural Resources (IDNR).

3. ***Nuisance*** means whatever is injurious to health, indecent, or offensive to the senses or an obstacle to the free use of property so as essentially to interfere with the comfortable enjoyment of life or property. This shall include all definitions in Section ***657.2*** of the Code of Iowa.

4. ***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.

5. ***Private Sewage Disposal System*** means all equipment and devices necessary for the proper collection, storage, treatment, and disposal of domestic wastewater from four or fewer dwelling units or the equivalent of less than 16 individuals on a continuing basis, including domestic waste, whether residential or nonresidential, but not including industrial waste of any flow rate.

6. **Septic Contractor** means any person, or business firm, installing, repairing, or providing maintenance of on-site wastewater treatment and disposal systems for compensation.

7. **Certified Maintenance Technician** means any septic contractor who is cerfitied with the manufacturer of an alternative septic system to provide maintenance and service of said system in accordance with manufacturer recommendations.

8. All terms defined in the current issue of the Iowa Administrative Code 567 Chapter 69, shall be defined the same for these regulations.

Section II - General Requirements

1. Discharge Restrictions. It is prohibited for any household drainage and/or sewage, and any commercial or industrial liquid waste or wastewater to discharge to any ditch, stream, lake, pond, natural or artificial waterway, country drain tile, surface water drain tile, or to the surface of the ground. Such material shall be disposed of in such a sanitary manner as is prescribed by these regulations.

2. State Code Adopted. All private sewage 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 the regulations of the Board of Health.

3. Permit Required. No person shall begin construction or repair of any private sewage 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 private sewage 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 private sewage 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 to Public Sewer. No private sewage disposal system shall be installed when a public sewer is available within 200 feet of any building wherein persons reside, congregate, or are employed. In the event that any existing private sewage disposal system should fail, or otherwise be found to cause a nuisance, a connection shall be made to a public sewer within thirty (30) days, when a public sewer is available within 200 feet of the building.

6. Update of Failed System. In the event an private sewage disposal system should fail, or otherwise be found to cause a nuisance, and a public sanitary sewer is not available or is not being utilized, said system shall be made to conform to these regulations. If subject system is not made to conform to the aforementioned regulations, habitation of the contributing structure shall be discontinued.

7. No more than one dwelling will be allowed on any individual private sewage disposal system without the approval of the Board of Health. All additional buildings, shops, etc may be added if system size, soil and site analysis will support it.

8. When a new dwelling is built in place of an older dwelling, a new private sewage disposal system will be required unless the existing system meets the current requirements of the ordinance. An existing private sewage disposal system shall be inspected to confirm that the current requirements are being met and the system is functioning properly prior to any

new dwelling being connected to said system. A permit will be required to connect a new dwelling onto an existing septic system.

9. Conventional soil absorption systems as described in Iowa Administrative code 567 Chapter 69, if soil loading rates as determined from a soil analysis are suitable Any soil that has unsuiteable soil rates or has water table or limiting layer within three feet of the bottom of the trench will not be suitable for a convenional soil absorption system.

10. If a conventional soil absorption system is not suitable, an alternative system may be utilized upon approval of the County Sanitarian. A maintenance contract for the service of that system shall be on file prior to any permits being issued and shall be renewed on an annual or semi-annual basis with a certified technician for the life of that system.

11. Any septic contractor who designs, constructs, installs, alters or repairs or provides maintenance on any on-site wastewater treatment and disposal system in Butler County, must have a current license, issued by Butler County Board of Health, under the provisions of Section VII of this regulation.

Section III - 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. Site Visit Required. Application for a permit to construct, reconstruct, alter, or repair a private sewage disposal system shall not be issued until a site visit with the County Sanitarian and septic contractor has been completed. A test hole will be required to conduct a soil analysis and results of any soil percolation tests performed must be provided to the County on a form approved by the County Sanitarian. If a percolation test is done, it must be performed in accordance with the procedures set out in the Iowa Administrative Code 567 Chapter 69 and by the Board of Health. A soil analysis will be required and a percolation test shall be optional.

3. 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 the County Treasurer's office. The fees shall be as follows:

    - $250 for new installation, including secondary treatment replacement
    - $100 for tank replacement or holding tank installation
    - $50 to hook a new house or shop onto an existing system

4. Fees. Fees may be revised after approval by the Board of Health and by Resolution by the Board of Supervisors.

5. Valid Period. Permits shall have validity for a maximum of twelve (12) months from the time of issuance, during which time the private sewage disposal system shall be completed.

Section IV - Inspection

1. Notification. The County Sanitarian shall be notified by telephone, or in person, not less than twenty-four (24) hours before work commences.

2. Inspection. No part of any private sewage disposal system shall be used, covered or constructed so as to deny inspection by the County Sanitarian. An private sewage 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. The County Sanitarian shall take measurements and document the location of the private sewage disposal system using current mapping technology available.

Section V – Construction Standards

1. Construction of private sewage disposal systems shall adhere to the standards outlined in Chapter 567-69.

2. All plumbing, including gray water lines, must be routed through the septic tank. The County Sanitarian will need to access the basement to verify that all plumbing meets this requirement.

3. The connection from the house to the tank must be inspected to verify that the pipe is of proper material and is not cracked or in otherwise poor condition before connecting to said pipe.

4. Any connecting lines under driveways shall be protected from freezing.

5. Septic tanks will require an 18" diameter riser to be brought to the surface.

6. Septic tanks must have an effluent filter installed.

7. Distribution boxes must have a riser brought to the surface.

8. When constructing a conventional soil absorption system, no part of the soil absorption system shall be deeper than 3 ft and there shall be no less than 3 ft separation from any limiting layer.

9. When constructing sandfilters, at-grades, mound systems, or rock & pipe systems, the septic contractor shall provide documentation from the quarry where the sand and gravel is obtained certifying that said material meets the standards of Chapter 567-69.

Section VI –Maintenance

1. It is the homeowners responsibility to maintain their private sewage disposal system to keep it in good working condition. At a minimum, a homeowner should clean their effluent filter once a year and have the septic tank pumped every three (3) to five (5)

years. A general maintenance Dos and Donts will be provided to the homeowner after the installation is complete.

2. If an alternative private sewage disposal system is installed, the system must be serviced by a certified technician on an annual basis. Effluent samples must be taken twice a year per NPDES General Permit #4 requirements whenever a system discharges into or near a water of the state.

3. All maintenance contracts, inspection reports and sample results must be provided to the County by the certified technician in a timely manner. If a homeowner fails to renew their contract, it is the certified technician's responsibility to notify the County.

Section VII - Septic Contractor Requirements

Any person, firm or corporation desiring to construct, alter, repair or provide maintenance of any private on-site wastewater treatment and disposal system in Butler County, Iowa shall first file for a license and approval with the Butler County Sanitarian, conditioned on the faithful performance or all duties and regulations required by the Butler County Board of Health, and all Ordinances and Regulations of Butler County and the Iowa Department of Natural Resources governing "On-site Wastewater Treatment and Disposal Systems".

1. Persons desiring to obtain a Butler County license to install, repair, alter or maintain on-site wastewater treatment and disposal systems must be a holder in good standing of an Iowa On-site Wastewater Association (IOWWA) certification as a Certified Installer of On-site Wastewater Treatment System, either Basic or Advanced Levels. Certification must be obtained by July 1, 2010. Continuing education credits to be defined by IOWWA Certification requirements. Prior to July 1, 2010, the applicant must maintain 12 hours of continuing education through training provided by IOWWA, or training approved by the Butler County Sanitarian. All inspections of on-site wastewater treatment and disposal systems require that an IOWWA Certified Installer be on site during the inspection.

2. The Administrative Authority will issue a Contractor's License, valid for a period of twelve (12) months, provided the applicant is the holder in good standing of the IOWWA Certified Installers License and has met the continuing education requirements of such certification.

3. An annual license fee shall be established by the Butler County Board of Health and shall be paid at the time of application.

4. License fees will be determined by the Butler County Board of Health.

5. Revocation and Denial of License. The septic contractor license may be revoked by the Administrative Authority if terms of this Regulation or any part of Title V, Ordinance #9 or the Iowa Code, Environmental Protection [567], Chapter 69 are violated. The contractor may only be reinstated at the discretion of the Butler County Board of Health.

6. Revocation Period. Application for renewal of license, when the license has been revoked, will not be allowed for a period of one (1) year from the date of revocation.

7. Appeal Hearing. An appeal hearing on license denial or revocation may be requested in writing to the Butler County Board of Health.

Section VIII – Certified Maintenance Technician

1. Any person performing maintenance on an alternative septic system shall become a certified maintenance technician by taking a certification course through the manufactuer of said system or other approved course. Proof of certification shall be provided to the County prior to providing maintenance on any alternative system in Butler County.

Section IX - Wells

If an private sewage disposal system is to be constructed, reconstructed, altered, or repaired and a well is located less than the minimum distance as set out in the Iowa Administrative Code 567 Chapter 69.3 (2), 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.", unless a variance is granted by the Board of Health.

Section X - Water Line

No house service water line shall be installed so as to interfere with and/or prohibit the installation of a private sewage disposal system. All water lines installed after installation of a private sewage disposal system shall adhere to a 10 ft setback.

Section XI - 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 requester.

Section XII - 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.

Section XIII - Special Penalty

Any person, firm, partnership or corporation, who violates any of the provisions of this chapter shall be guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not more than $100.00 per offense or by imprisonment of not more than 30 days. In addition thereto, such persons may be enjoined from continuing such violations. Each additional day of neglect or failure to comply with such provision, rule, or lawful order after notice of violation by the Board of Health shall constitute a separate offense.

Section XIV - Separability of Provisions.

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section XV - Supplemental Power

No section, clause or provision of this Ordinance shall limit the power of the County Sanitarian or Board of Health to obtain injunctive or other relief or to enforce Public Health Laws or Ordinances or standards in any other lawful manner.

Passed and adopted this 21st day of June 2022

Greg Barnett
Chairman
Butler County Board of Health

Rusty Eddy
Chairman
Butler County Board of Supervisors

Attest: Tammy Fleshner
Tammy Fleshner
Butler County Board of Health Secretary

Attest: Leslie Groen
Leslie Groen
Butler County Auditor