

TITLE V: PUBLIC WORKS

Chapter

50. SEWAGE

CHAPTER 50: SEWAGE

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GENERAL PROVISIONS**50.01 INSPECTION OF SEWAGE SYSTEMS AND WATER SAMPLE FEES.**

(A) The Board of Commissioners of the county establishes that a fee of \$20 established for inspection of sewage systems and/or drawing water samples by the Health Department of the county. This section empowers the Board of Commissioners of the county to change or modify this fee schedule by resolution.

(B) The County Board of Health and the county assumes no liability for performance of these services.

(Ord. passed 3-1-1982)

PRIVATE SEWAGE SYSTEMS INSTALLERS**50.15 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

AERATION TYPE TREATMENT SYSTEM. A system which utilized the principal of oxidation in the decomposition of sewage by introduction of air into the sewage or by surface absorption of air for a sufficiently long period of time to affect adequate treatment.

BOARD OF HEALTH. The Board of Health having jurisdiction in the county.

HEALTH OFFICER. The Health Officer having jurisdiction in the county or his or her authorized representative.

PERSON. An individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, department, bureau, agency, or any entity recognized by law.

PRIVATE SEWAGE DISPOSAL SYSTEMS. Any sewage disposal system not constructed, installed, maintained, operated, and owned by a municipality or taxing district established for that purpose.

PRIVY. A fly-tight rodent-proof structure erected on or over a properly constructed vault or pit and shall conform to the standards as set forth in State Board of Health Bulletin No. S.E. 11.

SEPTIC TANK. A covered watertight tank designed to retain settled sewage solids long enough for satisfactory bacterial decomposition of the solids to take place, primarily by anaerobic bacterial action.

SEWAGE. Any liquid waste containing animal or vegetable matter in suspension or solution and may include liquids containing chemicals in solution from water closets, urinals, lavatories, bath tubs, laundry tubs or devices, floor drains, drinking fountains, and other sanitary fixtures.

SEWAGE DISPOSAL SYSTEM. Any arrangement of devices and structures used for receiving, treating, and disposing of sewage.

SEWAGE TANK. A watertight tank designed to retain sewage solids long enough for satisfactory bacterial decomposition of the solids to take place and includes septic tanks and aeration type treatment tanks.

SEWER. A pipe or conduit for carrying sewage.
(Ord. 73-1, passed 7-16-1973)

50.16 PERMITS; GENERALLY.

(A) Before commencement of construction of any business building or private residence where a private sewage disposal system or privy is to be installed or where any alteration, repair, or addition of an existing private sewage disposal system is planned, the owner or the agent of the owner shall first obtain a written permit signed by the Health Officer.

(B) The application for such a permit shall be made on a form provided by the County Health Department, which application shall be supplemented by any plans, specifications, and other information as is deemed necessary by the Health Officer.

(C) The application for a permit shall be accompanied by an acceptable plot plan in duplicate, showing dimensions of the lot and distances from the sewage disposal system to the dwelling and appurtenant buildings. The plot plan should be drawn to scale and shall show the following:

- (1) Location of proposed sewage disposal system or changes to existing one;
- (2) Location of any existing or proposed source of water supply and water service lines on subject property;
- (3) Location of water supply sources, water service lines, and sewage disposal systems within 50 feet of subject lot;
- (4) Location of percolation test holes and test borings and description of general types of soil encountered;

(5) Direction and amount of slope of existing ground and finished grade;

(6) Accurate description of the point of discharge of effluent from subsurface filter or aerobic type treatment system or other approved treatment device;

(7) Each application is to be accompanied by results of percolation tests and test borings when required by the Health Officer; and

(8) Such other information as is reasonably required by the Health Officer.
(Ord. 73-1, passed 7-16-1973)

' 50.17 APPLICATIONS.

No person shall construct, install, connect, alter, or extend a private sewage disposal system within the county without first having filed a written application as set forth in this subchapter and having obtained a written permit from the Health Officer.

(Ord. 73-1, passed 7-16-1973) Penalty, see ' 50.99

' 50.18 PERMIT FEES.

A fee of \$5 shall be paid for each permit issued.

(Ord. 73-1, passed 7-16-1973)

' 50.19 PERMITS FOR EACH DWELLING.

A separate permit on a form prescribed by the Health Officer shall be obtained for the sewage disposal work on each dwelling.

(Ord. 73-1, passed 7-16-1973)

' 50.20 EXPIRATION OF PERMIT.

If the sewage disposal system has not been constructed, installed, altered, or extended within one year from the date of issuance, the permit shall automatically expire.

(Ord. 73-1, passed 7-16-1973)

50.21 DENIAL OF PERMITS.

The Board of Health shall deny a permit if the information on the application is incomplete, inaccurate, or indicates that the provisions of this regulation cannot be met.

(Ord. 73-1, passed 7-16-1973)

50.22 REGISTRATION OF INSTALLERS; APPLICATIONS; FEES AND BONDS; COMPLIANCE.

(A) *Registrations.* The Health Officer shall maintain a register of all persons engaged in or intending to engage in the installation of sewage disposal devices or equipment within the county.

(B) *Applications.* Any person engaged in or intending to engage in the installation sewage disposal devices or equipment shall make application to the Health Officer to have his or her name placed on the register for those engaged in the installation of sewage disposal devices or equipment. The application form shall contain the name and address of the person making application and the name and business address of the firm or place of business he or she is associated with, and such information as the Health Officer determines will reasonably aid in the administration and enforcement of this subchapter.

(C) *Fees.* Any individual, partnership, firm, association, or corporation making application to have his or her name placed on the register for those engaged in the installation of sewage disposal devices or equipment shall submit with such application a fee of \$20 per calendar year or part thereof for each individual who is owner, part owner or member, and any part of whose duties is to perform excavating for or installation of sewage disposal devices or equipment.

(D) *Bonds.* Upon acceptance of a prospective applicant=s registration, a registrant shall post a surety bond with the Board of Health of the county in the penal sum of not less than \$1,000 in favor of the Board of Health conditioned upon the registrant=s faithful compliance with rules and regulations which may from time to time be established by the Board of Health of the county relating to the installation of sewage disposal devices or equipment.

(E) *Removal; compliance.* Upon recommendation of the Health Officer, the Board of Health may remove the name of any person from the register of persons engaged in the installation of sewage disposal devices or equipment who have demonstrated inability or unwillingness to comply with these regulations. Such person may have his or her name reinstated on the register of persons engaged in the installation of sewage disposal devices or equipment by the Board of Health after satisfactory demonstration of ability or willingness to comply with this subchapter.

(Ord. 73-1, passed 7-16-1973)

§ 50.23 COLLECTION OF FEES.

All fees collected under the terms of this subchapter shall be receipted monthly into the County Treasury and credited to the County Health Fund for services rendered in enforcing this subchapter. (Ord. 73-1, passed 7-16-1973)

§ 50.24 PERMIT POSTING AND VISIBILITY.

The permit shall be posted in a conspicuous place at or near the building where the sewage disposal system is under construction. The notice should be plainly visible from the public thoroughfare serving this building. (Ord. 73-1, passed 7-16-1973)

§ 50.25 EFFECTIVE DATE.

This subchapter shall be in full force and effect from and after its passage, approval, recording, and publication as provided by law. (Ord. 73-1, passed 7-16-1973)

PRIVATE SEWAGE SYSTEMS**§ 50.35 DEFINITIONS.**

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CLOSELY BUILT-UP AREAS. Means and includes any areas situated outside the corporate limits of any city or town upon which area are located either residential or business buildings; provided, however, that it shall not include any tract of land, situated outside the corporate limits of any city or town, consisting of ten acres or more and upon which tracts of land is located only one building, which building is used for residential purposes. Provided, further, that it shall not include any tract of land situated outside the corporate limits of any city or town, which tract of land is used for farming or agricultural purposes.

COMBINED SEWER. A sewer receiving both surface water run-off and sewage.

PERSON. An individual, firm or corporation.

PRIVATE SEWAGE DISPOSAL SYSTEM. Any sewage disposal system not constructed, installed, maintained, operated and owned by a municipality or taxing district established for that purpose.

PUBLIC SEWER. Any sewer constructed, installed, maintained, operated and owned by a municipality or a taxing district established for that purpose. A county sewer installed for the purpose of carrying surface water run-off and sub-soil drainage shall not be considered a public sewer under this definition.

SANITARY SEWER. A **SEWER** which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SEWAGE DISPOSAL SYSTEM. Any arrangement of devices and structures used for receiving, treating and disposing of sewage.

SEWAGE. Any combination of human excreta and waste water from water closets, laundries, sinks, bathing facilities, and other objectionable waste waters.

SEWER. A pipe or conduit for carrying sewage.
(Ord. passed 6-10-1966)

50.36 PRIVATE SEWAGE DISPOSAL SYSTEMS.

(A) Where a public sanitary or combined sewer is not available, all persons owning or leasing property in closely built-up areas shall comply with the following provisions of this subchapter for private sewage disposal systems.

(B) It shall be unlawful for any person to place, deposit or permit to be deposited in an insanitary manner upon public or private property within the county, or in any area under the jurisdiction of said county, any human excrement or sewage.

(C) At any business building situated within the county, where there is installed a sewage disposal system which is not connected to a public sewer system, and no public sewer system is available, there shall be established, installed or constructed and maintained a private sewage disposal system which shall comply with the standards of the Indiana State Board of Health as contained in Bulletin S.E. 13 of the Indiana State Board of Health or in such other manner as approved by the Indiana State Board of Health. Copies of said Bulletin S.E. 13 are herewith incorporated by reference as part of this section and two copies are filed in the office of the County Auditor and County Health Officer for public inspection.

(D) Any privy situated within the county shall be of the sanitary type and shall be constructed and maintained in a clean condition and so that insects and rodents cannot enter the vault. Any privy shall be located properly to protect water supplies from contamination.

(E) All private residential sewage disposal systems and privies shall be installed, constructed and maintained in an approved manner as described in Bulletins S.E. 8 and 11 of the Indiana State Board of Health, copies of which are herewith incorporated by reference as a part of this section and two copies filed in the office of the County Auditor and County Health Officer for public inspection.

(F) The installation of any other private residential sewage disposal systems not described in Indiana State Board of Health Bulletins S.E. 8 and 11 of mechanical, chemical, or other means may be approved by the County Health Officer after the Board of County Commissioners has filed the requirements, plans and specifications of such device or system in the office of the Auditor and County Health Office of Union County; said requirements, plans and specifications must bear the written approval of the Indiana State Board of Health.

(G) Should any defect exist or occur in any private sewage disposal system or privy which would cause said sewage disposal system or privy to fail to meet the requirements in divisions (C), (D) and (E), and cause an insanitary condition, the defect shall be corrected immediately by the owner or agent of the owner, occupant or agent of the occupant. Failure to do so shall be a violation of this Ordinance and the violator shall be subject to the penalties prescribed in ' 50.99.

(H) Wherever a public combined or sanitary sewer becomes available and is within 75 feet of the property line of the residential or business property, served by a private sewage disposal system or privy, situated within the county, a direct connection shall be made to said sewer and any septic tanks, seepage pits, privy pits and similar-sewage disposal and treatment facilities shall be abandoned and filled in a safe and sanitary manner

(I) Whenever a new business building or subdivision is developed in an area where a public combined or sanitary sewer is available, a connection shall be made to said sewer if such connection can be made at a reasonable cost.

(J) After receiving an order in writing from the County Board of Health or the duly appointed health officer, the owner, agent of the owner, the occupant or agent of the occupant of the property shall comply with the provisions of this subchapter as set forth in said order, and within the time limit included therein. Said order shall be served on the owner or the owner aid the occupant, or on the agent of the owner, but may be served on any person who, by contact with the owner, has assumed the duty of complying with the provisions of an order.

(Ord. passed 6-10-1966) Penalty, see ' 50.99

' 50.37 PERMITS AND INSPECTION.

Before commencement of construction of any building or private residence where a private sewage disposal system or privy is to be installed or where any alteration, repair or addition of an existing private sewage disposal system is planned, the owner or agent of the owner shall first obtain a written permit signed by the County Health Officer. The application for such permit shall be made on a form provided by the county, which application shall be supplemented by any plans, specifications and other information as is deemed necessary by the County Health Officer. A permit and inspection fee of \$2 shall be paid to the County Treasurer at the time the application is filed.

(Ord. passed 6-10-1966) Penalty, see ' 50.99

' 50.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to ' 10.99.

(B) (1) Any person found to be violating any provision of ' ' 50.15 through 50.25 shall be provided by the County Board of Health or the duly appointed Health Officer with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof.

(2) Any person found to be violating any provision of ' ' 50.15 through 50.25 shall be guilty of a misdemeanor. Upon conviction, the violator shall be punished for the first offense by a fine of not more than \$500; for the second offense, a fine of not more than \$1,000; and for the third and each subsequent offense, by a fine of not more than \$1,000 to which may be added imprisonment for any determinate period not exceeding 90 days.

(Ord. 73-1, passed 7-16-1973)

