

BILL NO. 360

ORDINANCE NO. 358

**AN ORDINANCE OF THE VILLAGE OF INNSBROOK, MISSOURI AMENDING
SECTION 7.5.2 OF THE ZONING REGULATIONS TO PROHIBIT LAGOONS ON
TRACTS OF LAND ZONED COMMERCIALY AND AMENDING APPENDIX A OF
THE ZONING REGULATIONS TO PROHIBIT LAGOONS ON TRACTS OF LAND
LESS THAN THREE ACRES IN SIZE**

WHEREAS, the Revised Statutes of Missouri section 89.020 authorizes the Village to enact zoning regulations to promote the health, safety, morals and/or general welfare of the community; and,

WHEREAS, the Village of Innsbrook believes that sewage lagoons, septic ponds, and/or effluent ponds pose a risk to the health, safety, and general welfare when located on lots of less than three acres or when located on any lot with commercial zoning; and,

WHEREAS, a public hearing concerning said matter was held at the Village Hall in Innsbrook, Missouri on November 5, 2024 in front of the Planning and Zoning Commission; and,

WHEREAS, following the public hearing concerning said matter, the Planning and Zoning Commission voted to recommend approval of this Ordinance to prohibit sewage lagoons on lots less than three acres in size and to prohibit sewage lagoons on lots zoned commercially; and,

WHEREAS, the Board of Trustees of the Village of Innsbrook, Missouri advertised and held a public hearing on November 12, 2024, and does find and determine after due and careful consideration that the proposed prohibitions of sewage lagoons on lots less than three acres in size and on lots zoned commercially to be in the best interest of health, safety and general welfare;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF INNSBROOK, MISSOURI, AS FOLLOWS:

Section I: Section 7.5.2 of the Village of Innsbrook's Zoning Regulations shall be repealed and replaced as follows:

7.5.2 SEWER AND WATER

All uses requiring sanitary facilities shall be served by a municipal sewer and water system, a private community sewer and water system, or a private individual sewer and water supply system subject to the approval of the Village of Innsbrook, Warren County Health Department, and Missouri Department of Natural Resources. Sewage lagoons, septic ponds, effluent ponds, oxidation ponds, seepage lagoons, and/or holding lagoons shall be prohibited in any non-residential zoning district.

Section II: Appendix A of the Village of Innsbrook's Zoning Regulations shall be amended by adding Section A.1.2 as follows:

A.1.2 APPLICABILITY

For this rule, on-site wastewater treatment and disposal system means all equipment and devices necessary for proper conduction, collection, storage, treatment and disposal of wastewater from a dwelling or other facility producing sewage of three thousand gallons (3,000 gals.) or less per day. Included within the scope of this rule are building sewers, septic tanks, subsurface absorption systems, mound systems, gravel less systems and aeration unit wastewater treatment systems. Commercial or industrial facilities and developers of subdivisions must first contact the Department of Natural Resources concerning compliance with the Missouri Clean Water Law and Regulations before applying for any approvals or permits under this rule.

Tear Downs/Rebuilds or addition of one or more bathrooms shall require an engineered system meeting the state design standards submitted by a registered engineer.

New commercial construction and additions of 200 or more square feet shall require an "on site sewerage system inspection" by an inspector certified or licensed by Warren County or the State of Missouri to certify that the system meets these standards.

Installation of garbage disposals, dishwashers, or washing machines into an existing structure, serviced by an on-site sewage disposal system, shall require a permit issued by the Village of Innsbrook. The application for such a permit must be accompanied by a certification from a registered engineer showing that the on-site sewage disposal system meets the design standards of this appendix for such service.

Section III: Section 9.2.2.2 of the Village of Innsbrook's Subdivision Regulations shall be repealed and replaced as follows:

9.2.2.2 SANITARY SEWAGE FACILITIES

9.2.2.2. Sewer systems and sewage treatment facilities shall meet the requirements set forth by the State Department of Natural Resources, and the Village. No oxidation ponds, seepage lagoons, or holding lagoons will be permitted on non-residential lots or lots zoned residential or being used for residential purposes that are less than three acres. Sanitary and storm sewer systems shall not be combined. Sewer mains with house service stubs to each lot shall be installed prior to the construction of street pavements. Service stubs shall be installed at the centerline of each lot and shall extend to within one foot of the front lot line. [See Appendix A for minimum construction standards]

Section IV: Section A.4 of Appendix A of the Village of Innsbrook's Zoning Appendices shall be repealed and replaced as follows:

A.4. ON-SITE SEWAGE TREATMENT SYSTEMS

Sewage lagoons, septic ponds, effluent ponds, oxidation ponds, seepage lagoons, and/or holding lagoons shall be prohibited on any non-residential lot and any residential lot that is less than three acres in size. On-site systems that process 3,000 gallons per day or less of waste from structures within the Village of Innsbrook shall be designed, installed, inspected, and operated in accordance with Sections 701.025 through 701.059 RSMo and with Title 19 CSR 20- 3.060 Minimum Construction Standards for On-Site Sewage Disposal Systems of the Rules of Department of Health & Senior Services. More information can be obtained at <http://health.mo.gov/living/environment/onsite/>

Section V. Section A.4 of Appendix A of the Village of Innsbrook's Zoning Appendices shall be amended by adding the following:

All on-site wastewater treatment and disposal systems shall be located in accordance with the distances shown in Table A-1.

Table A-1. MINIMUM SET-BACK DISTANCES

Minimum Distances From	Sewage Tank¹	Disposal Area²	Lagoons
	(feet)	(feet)	(feet)
Private water supply well ³	50	100	100
Public water supply well	300	300	300

Cistern	25	25	25
Spring	50	100	100
Classified stream, lake or impoundment*	50	50	50
Stream or open ditch ⁴	25	25	25
Property lines	10	10**	75
Building foundation	5	15	15
Basement	15	25	25
Swimming pool	15	15	15
Water line under pressure	10	10	10
Suction water line	50	100	100
Upslope interceptor drains	-	10	10
Downslope interceptor drains	-	25	25
Top of slope of embankments or cuts of two feet (2') or more vertical height	-	20	20
Edge of surficial sink holes	50	100	500
Other soil absorption system except repair area	-	20	20

*A classified stream is any stream that maintains permanent flow or permanent pools during drought periods and supports aquatic life.

**Recommend twenty-five feet (25') of downslope property line initially, but repair may be allowed to ten feet (10') of downslope property line.

1 Includes sewage tanks and dosing chambers.

2 Includes all systems (sand filter, wetland and the like) except wastewater stabilization ponds.

3 Unplugged abandoned wells or wells with less than eighty feet (<80') of casing depth shall have one-hundred-fifty feet (150') minimum distance from all above.

4 Sewage tanks and soil absorption systems should never be located in the drainage area of a sinkhole.

Section VI: Table A-1 in Section A.4 of Appendix A of the Village of Innsbrook Zoning Appendices shall be amended by adding the following footnote to Table A-1:

5 Sewage lagoons, septic ponds, effluent ponds, oxidation ponds, seepage lagoons, and/or holding lagoons shall be prohibited on any non-residential lot and any residential lot that is less than three acres in size.

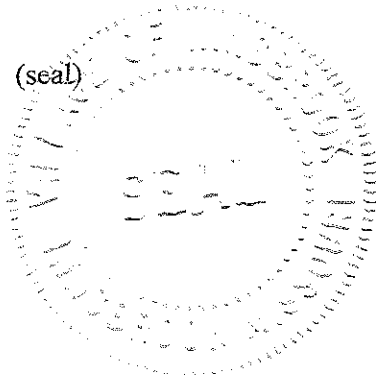
Section VI: The following definition shall be added to Section 2.3 of the Village of Innsbrook's Zoning Regulations:

LAGOON: A lagoon shall be defined as any inland, uncovered body of water connected to a septic tank or other feeding source that is used for or was designed for the treatment of sewage or wastewater, including any manmade supporting structure for the containment such sewage or wastewater. Lagoons shall not be permitted on any lot less than three acres in size or on any lot located within a non-residential zoning district.

Section VII: This Ordinance shall be in full force and effect both from and after the date of its passage and approved by the Chairman of the Board of Trustees.

Said Bill was passed and approved this 14th day of JANUARY, 2025, by the Board of Trustees of the Village of Innsbrook, Missouri, after having been read by title or in full two times prior to passage.

(seal)



Chairman, Daniel E. Reuter
Village of Innsbrook, Missouri

ATTEST:

Karen Denson
Village Clerk