

CHAPTER 66

**ON-SITE WASTEWATER TREATMENT
AND DISPOSAL SYSTEMS**

66.01 Purpose

66.02 Adoption of Chapter 567-69 of Administrative Code

66.03 Connection to Managed Community Sewer Required

66.04 Penalties

66.01 PURPOSE. The purpose of this chapter is to enact by reference Chapter 567-69 of the Iowa Administrative Code, which relates to on-site wastewater treatment and disposal systems.

66.02 ADOPTION OF CHAPTER 567-69 OF ADMINISTRATIVE CODE.

1. Chapter 567-69 of the Iowa Administrative Code, entitled “On-site Wastewater Treatment and Disposal Systems,” is adopted and incorporated by reference as if fully set forth herein.
2. In addition to the rules set forth in Chapter 567-69 of the Iowa Administrative Code, those instances in which an individual is required to install an on-site wastewater treatment and disposal system would include but not be limited to:
 - A. The New Construction of a Home. This means building or transporting a home (including mobile homes) to a site that does not currently have a properly functioning or approved on-site wastewater treatment and disposal system according to Chapter 567-69 of the Iowa Administrative Code.
 - B. The Upgrade of an Existing Septic System. This means replacing one or more of the parts (septic tank, tile line, etc.) of an existing septic system.
 - C. Submission of Complaint Form. The submission of a signed complaint form, by an individual, to the Washington County Health Department, detailing the discharge of untreated sewage to the surface. Determining the validity of the complaint will be at the discretion of the Washington County Sanitarian.
3. In addition those instances in which an individual would obtain a permit to install a private sewage disposal system in Washington County would include:
 - A. Applications: Any person, firm or corporation desiring a permit for private sewage disposal system within Washington County must file with the Washington County Environmental Health Department. The application stating therein, owner’s name, location and other pertinent information as may be required. Note: Any applications desiring a lateral absorption system within Washington County shall be accompanied by a Soil Scientist report.
 - B. Upon approval of this application by Washington County Environmental Health Department, the permit will be issued upon payment of the required fees to Washington County Environmental Health Department
 - C. Validity: Permits shall have validity for a maximum of twelve (12) months from the time of issuance; during such time the private sewage disposal system shall be completed. Except when the effluent from a residence or building is a menace to public health, welfare and safety, then the new or repaired system shall be completed as per the Board of Health Order.

- D. Notification: The Washington County Environmental Health Department shall be notified orally at least one calendar day (excluding Saturday, Sunday and Holidays) prior to completion of work to allow scheduling for final inspection or testing.
- E. Inspections: No part of any private sewage disposal system shall be used, covered or so constructed as to deny the mandatory final inspection by the Washington County Environmental Health Department personnel.

4. In addition those instances in which an individual desiring to construct, alter, repair or provide maintenance of any private sewage disposal system in Washington County, Iowa, shall first file for a private wastewater disposal contractor license with the Washington County Environmental Health Department. Private wastewater disposal contractor licenses shall be conditioned on the faithful performance of all duties and regulations required by the Washington County Board of Health. All Ordinances and Regulations of Washington County and the Iowa Department of Natural Resources governing Private Sewage Disposal Systems would include:

- A. The Washington County Environmental Health Department will issue a private wastewater disposal contractor's license, valid for a period of twenty-four months, provided the applicant:
 - (1) Has been credentialed as a Certified Installer of Onsite Wastewater Treatment Systems (CIOWTS) through the National Environmental Health Association (NEHA) and has met the continuing education requirements of such certification.
 - (2) Has on file with the Washington County Environmental Health Department a ten thousand dollar (\$10,000) Bond or Letter of Credit made payable to the Washington County Board of Health. The Bond or Letter of Credit is to be renewed annually. Failure to renew the Bond or Letter of Credit will cease all work on private sewage disposal systems within Washington County until the Bond or Letter of Credit is renewed.
- B. A biennial license fee of fifty dollars (\$50) shall be paid to the Washington County Environmental Department at time of application.
- C. Revocation and Denial of License. The private wastewater disposal contractor license may be revoked by the Washington County Environmental Health Department for violation of terms of this ordinance or any part of Iowa Administrative Code, Environmental Protection 567, and Chapter 69. The contractor may only be reinstated at the discretion of the Washington County Board of Health.
- D. 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.
- E. Appeal Hearing. An appeal hearing on license denial or revocation may be requested in writing within thirty days of revocation or denial of a private wastewater disposal contractor license to the Washington County Board of Health Chairperson.

66.03 CONNECTION TO MANAGED COMMUNITY SEWER REQUIRED.

1. Definitions: All terms defined in Chapter 69.1(2) and Chapter 69.3(1) of the Iowa Administrative Code 567, shall be defined the same for this ordinance. In addition, the following terms shall be defined as follows:

- A. “Unsewered Unincorporated Communities” shall consist of unincorporated portions of the County, where five (5) or more inhabitable structures and/or commercial buildings are located within an area bounded by a 660 ft radius.
- B. “Managed Community Sewer” shall consist of Private Sewage Disposal Systems as defined in Iowa Administrative Code 567 Chapter 69, when owned and maintained by County approved Public Entities or other County approved Utility Management Organizations.
- C. “Non-Compliant Private Sewage Disposal System” shall include private sewage disposal system which is failing to ensure effective wastewater treatment or is otherwise improperly functioning, or a system that is found not to be in compliance with applicable ordinances and regulations.
- D. “County” shall mean Washington County, and its designated representatives.

2. At such time as a Managed Community Sewer becomes available to a property served by a non-compliant private sewage disposal system located within an unsewered unincorporated community, a direct connection shall be made to the Managed Community Sewer, and any non-compliant private sewage disposal system shall be abandoned, unless specific variance is granted.

3. A Managed Community Sewer shall be deemed available once the County has approved the design of the private sewage disposal system to be installed.

4. The owner of all houses, buildings, or properties used for human occupancy, employment, or recreation, must connect such facilities to the Managed Community Sewer in accordance with this ordinance and the rules adopted to effectuate this ordinance, within one hundred eighty (180) days after date of official notice to do so. Billing for such service will begin on the date of official notice to connect to the Managed Community Sewer.

5. The administrative authority may adopt rules, regulations and specifications for the construction, connection, use, maintenance and inspection of the Managed Community Sewer.

66.04 PENALTIES. Under the provisions of Section 137.21 of the Code of Iowa, any person who violates any of the rules of Chapter 66 of the Washington Code of Ordinance regulating on-site wastewater treatment and disposal systems or any lawful order of the Washington County Board of Health, its officers or authorized agents is 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 Washington County Board of Health, shall constitute a separate offense. Additionally, each violation of this chapter is punishable by a civil penalty in accordance with Chapter 3 of this Code of Ordinances. Each day that a violation occurs may be considered a separate offense.