

## **Floyd County Ordinance FCO-2024-02**

### **Article II: (Definitions)**

**Design Plan (also in Article IV, Section 5c):** We require a site plan drawing by a registered septic installer or engineer to be submitted to our office. We may require the site plan to be to-scale drawings. Once we approve the plans, we document on our site survey inspection for the system to be installed per drawing by “Contractor Name, dated X/XX/XXXX”.

**Holding Tanks:** Requires that a holding tank meets the definition of a septic tank in Rule 410 IAC 6-8.3, or is on the IDOH approved list of septic tanks. We wanted to ensure if a property owner chose a holding tank as an onsite sewage system, that the tank met minimum IDOH standards.

**New Construction:** Defines what a new construction on-site sewage system would be as this is not defined in Rule 410 IAC 6-8.3.

**Registered Installer:** (See also Article III, Section 3; Article VIII). Defines a registered installer for Floyd County. Requires an installer to register on forms provided by our department.

**Repair/Replacement:** Defines what a repair/replacement on-site sewage system would be as this is not defined in Rule 410 IAC 6-8.3. Allows for this definition when a property owner is increasing or adding to the DDF of their system and may need to add onto their existing on-site sewage system.

**Site Approval Permit:** See also Article III, Section 1; Article IV, Section 6. When a property owner is building an outbuilding (without plumbing), or other items as listed in 410 IAC 6-8.3-57, our department requires a Site Approval permit. Our department visits the property and verifies proper separation distance to the septic tank and soil absorption system as listed. Our department has been doing this since 1997 from authority in a previous ordinance. Our department issues around 150 site approvals per year and about 10% of those result in the homeowner moving the structure based upon being too close to their onsite sewage system and after receiving education from our department.

**Site Survey:** See also in Article IV, Section 5.a. Our department requires an inspection of the property with the septic installer prior to the issuance of a construction permit to verify the proposed on-site sewage system meets the requirements in Rule 410 IAC 6-8.3 or Rule 410 IAC 6-10.1

**Soil Evaluation:** We require a minimum of 3 pits to be dug and we want the pits to accurately describe the entire area of the soil absorption field. Our soil can be variable across soil pits on the same property; therefore, we want to make sure the soil pits are encompassing the outside of the soil absorption field and in close proximity. Sometimes a pit is dug in the middle of the soil absorption field, with two or more pits on the outside of the soil absorption field, and that is acceptable as well.

We felt it was important to require pits to be dug instead of allowing a soil auger, as it provides a more accurate description of the soil profile. Most of the registered soil scientists working in our county are in favor of pits. Our department had been requiring pits for soil evaluations since a policy change in 2004. It was and is our policy that if a site was restrictive and could not easily allow pits to be dug or if it would disturb the site too much, then we allow a soil auger/probe to be used. This has been only allowed on repair/replacement sites where best judgement can be utilized.

### **Article III. Prohibited Acts**

**Site approval permit:** Article III. Section 1. See Article 2 definitions.

**Registered Installers:** Article III. Section 3. See Article 2 definitions.

### **Article IV. Construction Permits**

**Permit Expiration Dates:** Article IV, Section 4.c. We set expiration dates for our new construction and repair/replacement permits.

**Site Survey Inspection:** Article IV, Section 5.a. See also Article II Definitions.

**Floor Plans:** Article IV, Section 5.b. We have been requiring submittal of house plans prior to issuance of the construction permit because we had an issue with builders/homeowners submitting house plans to the building department with more bedrooms than what was filled out on the application submitted to our office. When we submit a copy of the issued septic permit to the building department, we also send them a copy of the house plans that was submitted to our office, so they can verify if it matches. We will accept bedroom affidavits per Rule 410 IAC 6-8.3, but if an affidavit is recorded with a property deed this is not normally discovered upon a title search during the sale of a property.

**Design Plans:** Article IV, Section 5.c. See also Article II Definitions.

**Site Approval Permits:** Article IV, Section 6. See Article II. Definitions.

### **Article V. Permit Denial/Revocation**

**Connection to sewer:** Article V, Section 1b: A permit for a replacement OSS may be denied if sewer connection is available and does not exceed 150 percent of the cost of replacement system. This only applies to replacement onsite sewage systems and would apply if our department was having to rely heavily on best judgement for the permitting of the onsite sewage system.

### **Article VI. Inspections**

**Construction Inspections:** Article VI. Section 1 Specifies the number of inspections allowed per the type of onsite sewage system. Requires the components of the system to be uncovered for our inspection, but provides exceptions unless our department grants special permission.

**Due Notice:** Article VI. Section 2. This varies from the rule in regards to site surveys and meetings (not for inspections).

### **Article VII. Submission of Documentation**

**OSS Inspections:** Article VII. Section 1. Requires inspections required by FCHD to be submitted to FCHD within 30 days. We would like to keep documentation of these inspections with the file in our database. These inspections would be public record if requested.

**Maintenance Treatment Units:** Article VII. Section 2. Requires paperwork from maintenance of the units to be submitted to FCHD within 30 days. Our department has had an issue with obtaining reports from treatment units already installed in our county.

### **Article VII. Registration**

**Installer/Inspector Registration:** Article VIII. An installer would either have to be registered with another county and/or IOWPA certified or all other applicants would be required to take an open- book test provided by our department with a score of at least 80%.

### **Article XI. Enforcement**

**Enforcement:** Article XI, Section 1 and 2. When someone is in violation of the ordinance, the issue will be brought in front of the Health Officer and Health Board and could constitute a fine.

## Floyd County Health Department

### Financial Impact Statement for Floyd County OSS Ordinance

Date: 02/07/2024

Ordinance Requirement <sup>1</sup>	Ord. Section	Types of Systems Affected <sup>2</sup>	Increased Cost/System <sup>3</sup>	Comments
Soil Pit Excavations	Article II.	All onsite sewage systems, unless site limitations prevent soil pit excavations. We then could approve a soil probe/auger.	\$250 -\$300	I surveyed the soil scientists that do work in Floyd County and most soil scientists charge the same fee whether they use a soil probe/auger or equipment to dig soil pit. Only (1) soil scientist in our county charges an extra fee.

Overall anticipated price increase for residential OSS:

Minimum **\$0.00** (Example- Property that does not require additional cost for soil pit excavations)

Maximum **\$300.00** (Example: Property owner choosing soil scientist that charges extra for soil pit excavations at their site).

<sup>1</sup> Briefly describe ordinance requirement.

<sup>2</sup> Describe what type(s) of systems that would be affected by this requirement. If it would apply to all systems, indicate ALL OSS.

<sup>3</sup> Increased cost is per system.