TITLE IV - HEALTH REGULATIONS

CHAPTER 31

ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS
BOARD OF HEALTH REGULATIONS

GENERAL ENVIRONMENTAL HEALTH REGULATIONS

31.01. PURPOSE. This is a regulation of the Dallas County Board of Health to implement the provisions of State Law for the enforcement of State Law by the designated employees of the County Board of Health, and further to implement such additional measures as may be determined by the County Board of Health established by rule, procedure, or enacted by regulations.

31.02. DEFINITIONS All terms defined in the Iowa Administrative Code 567 Chapter 69 (as amended hereafter) have the same definitions in this chapter. Additionally, the following terms are defined:

1. "Failed System" A failed system is one which, by any deficiency, whether by design, operation, maintenance or failure thereof, abuse, interference with of any nature or other reason, such system, after receiving an permit to operate, subsequently fails to meet one or more of the criteria under which a permit could be granted.

2. "Board of Health", "Board". Unless otherwise specified herein, all references herein to "Board of Health" refer to the Dallas County, Iowa, Board of Health, or a subsequent district board of health for Dallas County, as duly appointed and functioning pursuant to Chapter 137 of the Iowa Code (as amended hereafter).

3. "Registered professional engineer," "engineer". Unless otherwise specified herein, all references herein to "Registered professional engineer" or "engineer" are to a person who, by education and degree obtained thereby, and by subsequent licensing with the Dallas County Board of Health through the Dallas County Sanitarian, has displayed his or her qualifications to make recommendations for the design of an on-site waste water treatment and disposal system.

4. "In-line filters" are placed in the discharge lines of an on-site wastewater treatment and disposal system ahead of the terminal discharge of effluent. (as opposed to a filtration system that is the termination of the effluent discharge).

5. "Surface discharging system". A "surface discharging system" is an on-site wastewater treatment system that by approved design and approved installation is intended and does discharge effluent from the system to the surface of the ground or into a waterway.

c. Designation of enforcement officer. The county sanitarian, deputy or assistant sanitarians as may be designated by the County sanitarian, deputy or assistant County Environmentalists or other employees of the County designated by the County Sanitarian are designated enforcement officers of the provisions of this chapter and of the other laws, rules, and regulations of this county and of the State of Iowa enforceable by the Public Health Department.

31.03 **GENERAL REQUIREMENTS.**

a. Maintenance Contract Required. The owners of an onsite septic system must have a maintenance contract with a certified onsite septic maintenance provider under following circumstances: When the onsite septic system is subject to the Iowa Administrative code 567 Chapter 69 (as amended hereafter) or when the onsite septic system is subject to filing a Notice of Intent (NOI), or when a National Pollutant Discharge Elimination System # 4 (NPDES #4) is sent by Department of Natural Resources, or when Iowa Administrative code 567 Chapter 69 requires an alarm on an onsite septic system not including the lateral field or holding tank. Such maintenance contract shall provide for the required periodic maintenance of such system, together with the periodic sampling as required of such systems. The maintenance contractor shall perform the required maintenance and sampling, reporting such testing and maintenance to the County Environmental Health Department. The maintenance contractor shall report any lapse in maintenance contract to the County Environmental Health Department. Failure to sustain a maintenance

contract or failure to have the required periodic maintenance performed shall cause the Environmental Health Director to deem the system a failed system, and take steps to abate the nuisance caused thereby. The Environmental Health Director may, for good cause documented, waive the maintenance contract requirement for systems not required by State law to maintain a maintenance contract.

b. Sampling. On-Site Wastewater Treatment and Disposal Systems requiring sampling shall be tested in accordance with provisions of the Iowa Administrative Code 567 Chapter 69 (as amended hereafter) and sampling the discharging private sewage disposal for TSS and CBOD between March 15 and May 30. Sampling for testing of the system for CBOD shall be between September 1 and November 15. Fecal Coliform shall be tested if the system has a NPDES #4 and shall be tested between September 1 and November 15, inclusive. Sampling shall conform to the limits set by the NPDES # 4 (as amended hereafter). Test results shall be reported to the Sanitarian not more than 30 days after the sample is taken. Sampling shall be by a septic contractor licensed by Dallas County Board of Health or certified by the Department of Natural Resources. Testing shall be accomplished by an approved laboratory. The certified person (s) or maintenance provider obtaining the sample shall follow-up to ensure that the test report is timely delivered to the county and that if such test is out of compliance with Code, that the owner of the system and the Environmental Health Department are promptly notified. Unless such system is promptly corrected, it shall be deemed a failed system by the Environmental Health Department, and appropriate steps taken to abate the nuisance caused thereby.

c. Maintenance. Manufacturer recommended safety devices. All devices which are a part of an on-site wastewater treatment system which are equipped or recommended to be equipped with alarms or other safety devices, the purpose of which is to ensure the safe or intended operation of the device in all respects, including environmental, shall have such alarms installed in such a manner as to ensure their adequate visibility/audibility and function. Alarms shall be both audible and visible. All wiring for safety features must be underground rated, or installed in conduit. Proper operation of safety devices and Appendix A: service required for

maintenance (as amended hereafter) shall be checked and ensured at each maintenance visit or inspection, and proven before an operational permit or occupancy permit is granted. Failure of an installed or recommended safety device is cause for declaration of a failed system. Perform any cleaning or pumping of the system that is appropriate. If sludge has collected in the tank to interfere with the operation of the system, the sludge shall be pumped out, reducing the level of sludge to a level that will ensure continuous proper operation.

d. Record Keeping. The County Environmental Health Department shall maintain records of the maintenance contracts, maintain a system to enforce those laws, in consonance with the IDNR, upon those that fail to maintain maintenance contracts, and shall monitor the results of maintenance and tests to ensure that testing and proper maintenance visits are according to the requirements of the law. The entity performing the maintenance shall report to the County Environmental Health Department that the semi-annual maintenance and testing was accomplished. That report shall include a description of deficiencies noted, corrective taken, and notation of deficiencies not corrected at that maintenance visit.

e. Alteration Requires Compliance. No person shall begin construction, reconstruction, alteration or repair of any on-site wastewater treatment and disposal system until the owner has complied with all of the applicable requirements of this ordinance and the rules, procedures and regulations of the Board of Health and the Department.

f. Permit Required. No person shall construct, begin construction or repair or begin repair or replacement, make alterations to, modify, or commence work (except for routine maintenance) to cure defects of a failed system of any on-site wastewater treatment and 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 on-site wastewater treatment and disposal system shall be obtained prior to the commencement of construction of or addition to any dwelling or building or structure to be served by this system. Scheduled maintenance and routine maintenance shall not require a permit.

g. Update of Failed System. In the event an on-site wastewater treatment and disposal system should fail, or otherwise be found to cause a nuisance, and a public sanitary sewer is not available, said system shall be made to conform to these regulations within time limits determined by the Environmental Health Department. If the defect is not cured to conform to regulations within the time limitations, the Environmental Health Department may require habitation of the contributing structure(s) to be discontinued.

31.04 PERMIT REQUIREMENTS

a. Permit application. Any person desiring a permit must file with the County Environmental Health Department an application stating the owner's name, current mailing address, telephone number and other information as required by the County Environmental Health on the most current application form available at the office of the County Environmental Health.

b. Engineering recommendation required. Application for a permit to construct, reconstruct, or alter a private son-site wastewater treatment and disposal system, or any subsystem thereof, shall also include the recommendations of a certified registered professional engineer, which shall include the results of a soil profile test.

c. If the proposed design is for a surface discharge onto or over another's property, the application shall contain a copy of the easement(s) required in the state code or administrative code.

d. Sketch Required. The application must also include a sketch of the property with approximate dimensions showing the dwelling served, the location of any wells and ground source water on the property, the location of any wells and ground source water on neighboring property which might be affected by the system, the location of any streams, ponds and ravines, and the location of easements, if easement is required for discharge across another's property, as well as a sketch of the proposed system to be installed. Any deviation from the plans or specifications appearing on the application must be submitted in writing by amendment to the application and be approved in writing by the County Sanitarian pursuant to law and ordinances, as if an original application. Amendments do not require re-submitting

the original permit fees, but may bear additional fees conforming to the type of system sought in the amendment. If the application is for a surface discharging system, the sketch shall annotate the location and distance to a designated surface water of the state or a subsurface drainage tile of the proposed system.

e. Valid Period. Permits shall have validity for a maximum of one (1) year from the time of issuance, during which time the on-site wastewater treatment and disposal system shall be completed.

31.05 INSPECTION AND INSTALLATION.

a. Applications

1. Upon a Home owner/contractor/developer application for a permit to install, construct, reconstruct, alter or repair a system, or transfer real property, the Environmental Health Department inspects the application, ensuring that:

- ♦ A licensed septic contractor is slated to install the system;
- ♦ The system plan conforms to the engineer's recommendations;
- ♦ The engineer has given preference to sand, peat and textile filters, if consideration is given to Mechanical Aerobic systems or Constructed wetlands;
- ♦ The system plan meets engineering requirements of the code, e.g. that the percolation rates are adequate for the plan, that the seasonal high groundwater table has adequate separation from the disposal system, the soil type and compaction (not in "fill" dirt) etc.;
- ♦ Application includes drawing, description, required information;
- ♦ The required fees for the proposed system are attached (and valid);
- ♦ Copies of any easements, if required, are attached;
- ♦ Verifies the distance to a designated surface water of the state or a subsurface drainage tile, if a discharging system is proposed;
- ♦ Verifies the plan to protect wells and potential for contamination of groundwater if present;

♦ The Environmental Health Department conducts a site evaluation, physically viewing the site and evaluating the permit against the actual topography of the site.
♦ The Environmental Health Department ensures that if the system is proposed as a surface discharging system to discharge over another's property that the requirements of easement are proven.

2. The Environmental Health Department notifies the applicant that the proposal does or does not meet criteria for approval. If the proposal meets criteria for approval, the Environmental Health Department issues a permit for the installation/repair/correction of the system and the plan may proceed to installation. If the proposal does not meet the initial review criteria, the application is rejected. The sanitarian shall inform the applicant of the reason for rejection. A rejected application may be revised and resubmitted with the application re-inspection fee.

b. Installation

1. Work of any kind on an on-site wastewater treatment system may only be done by a licensed septic contractor. For the purposes of pumping a septic system, or hauling sludge from a pumped septic system, a state of Iowa licensed contractor may perform such duties pursuant to State licensure.

2. The septic contractor shall install, construct, reconstruct, alter or repair the system to the specifications of proposal as contained in the application.

3. Should the proposed system require amendment due to unforeseen circumstances, the septic contractor shall ensure that the amended proposal is submitted in writing to the sanitarian and approval in writing received prior to installation of the amendment to the proposal.

4. Contractor anticipates completion of the work, and shall schedule inspection with the sanitarian, at the convenience of the sanitarian. A contractor shall notify the sanitarian at least 24 hours before the time the contractor is requesting the inspection.

5. Contractor shall leave all work uncovered, open for inspection, pending inspection by the County Environmental Health Department.

6. All contact with the Environmental Health Department shall be during regular office hours of the County.

7. Systems requiring periodic inspection, maintenance, sampling, or testing shall be constructed with adequate inspection, sampling, maintenance, or observation access ports to allow readily availability of such parts of the system as shall indicate access thereto. Sand filters will be constructed with an observation port to allow inspection of the in-flow to the filter, as well as the out-flow, if other observation of the status of the filter media is not provided. All pumped septic systems will have a quick release fitting on the pump line and have a separate float tree for the floats.

c. Inspection. The Environmental Health Department shall inspect the work on site in a timely manner, ensuring that the installation is as approved for the proposed system. County Environmental Health inspects work to ensure that the system that is installed is as presented in the application, verifying the type of system, the depth of the installation, and ensuring that other engineering criteria are met (not in fill dirt, etc.)

d. Time of Transfer Inspections.
1. To comply with the State Code on Time of Transfer Inspections and in conformity with the specification there in the Iowa Administrative Code 567 Chapter 69 (as amended hereafter).

e. Certificate of Occupancy. If the installation passes inspection, the Environmental Health Deparment may issue a certificate of occupancy.

1. The certificate of occupancy shall state that the on-site wastewater treatment system has met the inspection requirements as of the date issued. No occupancy permit may be issued until the wastewater treatment system is approved.

2. A dwelling, or other structure housing humans for any period of time, being equipped with sewage disposal, may not be occupied without a certificate of occupancy issued by the County

Environmental Health. Every such building being occupied prior to the effective date of this amendment to this ordinance may be so occupied until such time as the on-site wastewater treatment system requires or is repaired, reconstructed, altered or replaced. At such time, the system shall conform to the requirements of this chapter, including the requirement for a certificate of occupancy. If a certificate of occupancy, once issued, is withdrawn, the building shall not be inhabited or used for habitation until the nuisance is abated and a certificate of occupancy re-issues. Certificate of occupancy withdrawn may be reissued upon application, installation and inspection as set forth herein.

3. No warranty or guarantee. On-site waste water treatment system inspections or Certificates of Occupancy shall not serve as any type of warranty or guarantee. The inspection and certificate merely serve to state that the system as viewed at the time of inspection meets the terms of this regulation.

f. Failed Systems.

1. Inspection. When the county Environmental Health Department has cause to suspect that a system is a failed system, the Environmental Health Department may conduct an inspection to determine whether the system is determined failed. If the sanitarian determines to draw samples for laboratory testing to assist the determination of whether the system is a failed system, the cost of the laboratory testing shall become a part of the cost of application for permit to correct the failed system. If the system does not require correction, no permit to correct the system is required, and thereby, the costs of the inspection do not accrue to the owner of the system.

2. Determination of failed system. If the Environmental Health determines that a system is a failed system, such system is deemed a nuisance, and the sanitarian shall act to abate the nuisance so created by enforcement. The Environmental Health Department may withdraw the certificate of occupancy, and, or, may take other enforcement action.

3. Correction of Failed System and Issuance of Certificate of Occupancy. If such failed system is corrected to the standards

set forth herein and by other applicable laws, rules and ordinances, within the time set by the Environmental Health Department, the Environmental Health Department shall issue a certificate of occupancy

g. Wells. If an on-site wastewater treatment and disposal system is to be constructed, reconstructed, altered or repaired and a well is located less that the minimum distance as set out in the Iowa Administrative Code 567, Chapter 69, (as amended hereafter) 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 (as amended hereafter) "Requirements for Properly Plugging Abandoned Wells."

h. Enforcement. This ordinance and other rules, laws, and ordinances enforceable by the sanitarian may be enforced by gaining voluntary compliance, by issuance of a notice of violation, by issuance of citation, or other legal process.

1. Issuance of Notice of Violation. The County Environmental Health may notify the owner of a failed system that such system is a failed system by issuance of a notice of violation (NOV). The NOV shall state that failure to abate the failed system within the time specified shall result in withdrawal of certificate of occupancy upon the date specified. The notice of violation shall state the date by which the system shall be corrected, and include thereby a time-line of the steps necessary to maintain a certificate of occupancy. The NOV may require immediate discontinuance of the use of the failed system. The Environmental Health Department, upon request of the failed system owner and notice to the Board of Health, may reasonably amend the NOV to allow additional time or alternatives to abate the failed system. Upon issuance of a NOV, the owner shall follow the requirements of permit application and inspection set forth in this chapter.

2. Issuance of Citation. The county Environmental Health Department may issue a citation of county infraction to the owner of a failed system upon determining that a system is failed. Such citation may issue whether or not notice of violation is used. If a NOV is used, but the failed system is not abated by corrective action in accordance with this

ordinance, the sanitarian may issue citation(s) for the violation.

3. Other Legal Remedies. The county Environmental Health may determine to request the county attorney to pursue other legal remedies available under the law to abate a failed system, whether or not a notice of violation or citation has issued.

4. 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.

5. 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.

6. Penalty. The provisions of Chapter 2 of the Dallas County Code of Ordinances shall be applicable for violations of this chapter.

i. Fee Requirement and Fees. The applicable fee, in a form approved by the Sanitarian, shall accompany the application. If re-inspection required, the re-inspection fee must be paid at the time of requesting the re-inspection. Fees are as follows:

1. Pre-site, installation and inspection of a complete septic system whether new installation or replacement $160.00

2. Modification of a system, including replacement of any single component part of a system on an existing system, other than those listed in item 3, below. $120.00

3. Replacement of only the distribution box, the tank riser, the filter riser, an in-line filter, or distribution piping. $55.00

4. On-site re-inspection fee (when a previous on-site inspection has failed to obtain approval for any reason).
$75.00

5. Contractor or Homeowner investigation fee (Where the contractor or Homeowner requests an inspection to determine status of a system $ 35.00

6. Annual On-site Wastewater Operational Permit for discharging systems. (which includes the cost of annual review and filing of maintenance visits, annual auditing of test results, and an on-site inspection by the County Environmental Health Office every three years.)
$ 50.00

7. Laboratory Fees for testing samples drawn in any inspection
Actual Lab cost

Appendix A: Service Required for Maintenance

REQUIRED MAINTENANCE FOR AT GRADE OR MOUND SEPTIC SYSTEMS

1. Check sludge level in septic tank, pump tank and clean effluent filter.

2. Check pumping station to assure that sludge is not moving into the tank.

3. Check the pump to assure it is in working order and pull pump and clean screen, if applicable.

4. Pressure test the mound to assure squirt height.

5. Check alarm system.

6. Check to assure all electrical connections are out the corrosive environment of the tanks and have been installed according to the National Electrical Code Standards.

REQUIRED MAINTENANCE FOR PEAT FILTERS and COCO Filters

1. Check sludge level in septic tank and clean effluent filter.

2. If pumping station is required, check integrity of pump.

3 Perform maintenance on Peat Filter and Coco Filter as per manufacturer requirements to assure continuous operation.

4. Any additional treatment units will be as specified for this type of treatment unit.

5. Sampling shall be performed for CBOD and TSS in the spring, and CBOD in the fall and Fecal within a designated surface water of the state or subsurface drainage tile (NPDES #4).

REQUIRED MAINTENANCE FOR SUB-SURFACE DRIP IRRIGATION SYSTEMS

1. Check sludge level in septic tank.

2. Check integrity of pump and pumping station

3. Check alarm system

4. Check spin filter.

5. Clear lines annually

6. Check other items as recommended by manufacturer.

REQUIRED MAINTENANCE FOR MECHANICAL SYSTEMS

1. Check sludge level in pre tank and mechanical system

2. Check alarm system.

3. Check aerator

4. Check to assure all electrical connections are out of the corrosive environment of the tanks and have been installed according to the National Electrical Code Standards.

5. Sampling shall be performed for CBOD and TSS in the spring, and CBOD in the fall and Fecal within a designated surface water of the state or subsurface drainage tile (NPDES #4).

6. Perform maintenance to the standards of the manufactories requirements

REQUIRED MAINTENACE FOR TEXTILE FILTER SYSTEMS

1. Check sludge level in tank

2. Check alarm system

3. Check the pump to assure it is in working order and all floats are in operating order.

4. Check the textile medium to ensure that the textile is operating and not ripped or pass degradation.

5. Sampling shall be performed for CBOD and TSS in the spring, and CBOD in the fall and Fecal within a designated surface water of the state or subsurface drainage tile (NPDES #4).

6. Perform maintenance to the standards of the manufactories requirements.

RECOMMENDED MAINTENANCE FOR WETLANDS

1. Check sludge level in septic tank and clean effluent filter.

2. If pumping station is required, check integrity of pump.

3. Check vegetation in each cell of wetland system to determine if new vegetation should be added.

4. Sampling shall be performed for CBOD and TSS in the spring, and CBOD in the fall and Fecal within a designated surface water of the state or subsurface drainage tile (NPDES #4).

5. Check for soil infiltration into wetland.

6. Follow Chapter 69 Private Sewage Disposal System requirements when effluent is discharged above the ground surface.

RECOMMENDED MAINTENANCE FOR SAND FILTERS

1. Check sludge level in septic tank and clean effluent filter.

2. If pumping station is required, check integrity of pump.

3. Check for ponding of effluent on top of sand filter.

4. Check inspection ports for ponding of effluent.

5. Sampling shall be performed for CBOD and TSS in the spring, and CBOD in the fall and Fecal within a designated surface water of the state or subsurface drainage tile (NPDES #4).

6. Follow Chapter 69 Private Sewage Disposal System requirements when effluent is discharged above the ground surface.

RECOMMENDED MAINTENANCE FOR FREE ACCESS SAND FILTERS (Secondary Treatment)

1. Check free access sand filter and remove any heavy solids from sand and replace sand to required construction sand level.

RECOMMENDED MAINTENANCE FOR PUMPED DOSED LATERAL SEPTIC SYSTEMS

1. Check sludge level in septic tank, pump tank and clean effluent filter.

2. Check pumping station to assure that sludge is not moving into the tank.

3. Check the pump to assure it is in working order and pull pump and clean screen, if applicable.

4. Check alarm system (if applicable).

5. Check to assure all electrical connections are out the corrosive environment of the tanks and have been

installed according to the National Electrical Code Standards.

NOTES:

1. For all systems requiring UV Disinfection, please check unit and clean tube twice per year.

2. For all systems containing Chlorination and De-chlorination, check to make sure unit is functioning property and have adequate chemicals. Sampling is required for Free Chlorine Residual April through October. If you need reporting forms, please contact Dallas County Environmental Health