

Previously Hardin County Ordinance #10
On-Site Wastewater Treatment and Disposal Systems

Be It Enacted by the Board of Supervisors of Hardin County, Iowa:

SECTION I. 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.

SECTION II. Adoption of Chapter 567-69 of Iowa 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. New Construction. New construction of any home or building with wastewater generation. This includes transporting a home (including mobile homes) or building to a site.
 - b. The Upgrade of an Existing Septic System. This means replacing one or more of the parts (septic tank, leach field, etc.) of an existing septic system. This includes when an existing system will experience increased wastewater loading, and thus the size of part or all of the treatment system must be increased.
 - c. Submission of a Complaint Form. The submission of a signed complaint form, by an individual, to the Hardin County Health Department, detailing the discharge of untreated sewage to the surface or into the groundwater. Determining the validity of the complaint will be at the discretion of the Hardin County Sanitarian.
3. In addition, those instances in which an individual would obtain a permit to install or repair a private sewage disposal system in Hardin County would include:
 - a. Construction Permit Applications. A construction permit application will be required when there is new construction with wastewater generation, the existing system will experience increased wastewater loading, the secondary system is replaced or enlarged, or the primary system is replaced or enlarged.
 - b. Repair Permit Applications. A repair permit application will be required when a pump or distribution box is replaced.
 - c. Applications. Any person, firm, or corporation desiring a permit for private sewage disposal system within Hardin County must file with the Hardin County Environmental Health Department. Applications shall be made on forms provided by the Hardin County Environmental Health Department.
 - d. Approval of Application. Upon approval of the application by the Hardin County Environmental Health Department, the permit will be issued upon payment of

the required fees to the health department. Fees will be set forth by the Hardin County Board of Health and are subject to change.

- e. Validity. Permits shall have validity for a maximum of twelve (12) months from the time of issuance; during which 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, or safety as determined by the Board of Health; then the new or repaired system shall be completed as per the Board of Health Order.
 - f. Notification. The Hardin County Environmental Health Department shall be notified by phone, email, or text message at least one calendar day (excluding Saturday, Sunday, and holidays) prior to completion of work to allow scheduling for final inspection or testing.
 - g. 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 Hardin County Environmental Health Department personnel. A certified contractor (*see item 4*) must be on site during inspection to discuss details of the installation. The field data collected at the time of inspection documents the conditions at the time of inspection but does not necessarily sanction a system as being in compliance with the requirements of Chapter 567-69 of Iowa Administrative Code. It is the responsibility of the licensed contractor to ensure that all on-site wastewater treatment system installations are performed in accordance with the provisions of Chapter 567-69.
4. In addition, those instances in which an individual desiring to construct, alter, repair, or provide maintenance of any private sewage disposal system in Hardin County, Iowa, shall be credentialed as a Certified Installer of Wastewater Treatment Systems (CIOWTS) through the Iowa Onsite Wastewater Association (IOWWA) and have met the continuing education requirements of such certification **and** said contractor has a contractor's bond for \$10,000 with Hardin County.
- a. Order to Cease Operations. The private wastewater disposal contractor may be prohibited to perform installations, alterations, repairs, or maintenance by the Hardin County Environmental Health Department for violation of terms of this ordinance or any part of Chapter 567-69 of Iowa Administrative Code. The contractor may only be allowed to continue operations at the discretion of the Hardin County Board of Health.
 - b. Prohibition Period. A request to continue operations, when a contractor has been prohibited, may be submitted on the form provided by the Hardin County Environmental Health Department no sooner than one (1) year from the date of prohibition.
 - c. Appeal Hearing. An appeal hearing on a prohibition by the Hardin County Environmental Health Department may be requested in writing to the Hardin County Board the Health Chairperson within thirty (30) days of the initial prohibition.

5. Aerobic treatment units, recirculating textile filters, packed bed media filters, peat moss biofilters, and any other treatment system which the Hardin County Environmental Health Department and the Iowa DNR determine shall require a maintenance agreement between the contractor and the homeowner and be filed with the Hardin County Environmental Health Department.

SECTION III. Penalties. A violation of any of the provisions of this ordinance shall result in a fine not to exceed seven hundred fifty dollars (\$750) or, if the action is a repeat offense, a penalty not to exceed one thousand dollars (\$1000) for each repeat offense.

SECTION IV. Severability Clause. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION V. Effective Date. That this ordinance shall be effective immediately upon adoption and publication as provided by law. By enactment, the previous Ordinance #10 is hereby repealed.