

Mitchell E. Daniels, Jr.  
Governor

Judith A. Monroe, M.D.  
State Health Commissioner



# Indiana State Department of Health

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Date: June 24, 2005

To: Local Health Departments

From: Robert J. Hilton, PE, DEE, Supervisor  
Plan Review

Subject: Residential Outbuildings

I've had a number of discussions with local health departments concerning how to deal with residential outbuildings that are classified for family use only. Rule 410 IAC 6-10 makes no exception for a residential outbuilding; they are commercial. However, we have decided that if a homeowner wants to install a bathroom, for family use only, in an existing outbuilding or a new outbuilding, the local health department can handle it as residential. The homeowner must notify the local health department in writing that the new bathroom in the outbuilding is being installed for family use only. If the local health department determines that it is family use only then they can handle the permitting. If they determine that it is not just for family use then they must refer the project to Plan Review. We are taking this position because we believe there will be little or no increase in sewage production, because the family won't be using multiple bathrooms any more frequently than they would use just one bathroom. In some cases it may be possible to connect an outbuilding to the residential sewage disposal system, but that decision ultimately rests with the local health department.

When the local health department determines that a home based business is planned for the outbuilding, then the sewage disposal system must meet commercial on-site sewage disposal requirements. This applies even if the homeowner plans to conduct the business in their home and no outbuilding is involved. A good example of a home based business is the beauty salon. Often, a home based business will generate additional sewage exceeding the design capacity of the original residential sewage disposal system. Additional capacity will then be necessary.

In such cases, the homeowner will need to employ registered soil scientist to conduct a soil survey for submittal to Plan Review. Often, Plan Review will be able to issue a Technical Design Sheet for the on-site disposal system and refer the owners to the local health department for permitting. This assumes that the local health department is identified as both qualified and willing to handle the type of commercial sewage disposal system that must be installed. There is no plan review fee if we can refer the project to the local health department. But if we must issue the permit, State law requires that a registered engineer or architect prepare and stamp the plans, and State rules require us to assess a fee for plan review of \$200.

I hope this clarifies the outbuilding issue. If you have any questions please call the Plan Review Section at 317-233-7177.