

HENDRICKS COUNTY ON-SITE SEWAGE DISPOSAL ORDINANCE

ORDINANCE NO 2000 - 4

WHEREAS, IC 36-1-4-11 of the Acts of the General Assembly of the State of Indiana, as amended, granted certain powers to the Board of County Commissioners relative to the adoption of ordinances; and

WHEREAS, the Board of Commissioners of Hendricks County, Indiana, held a hearing in the Commissioner's Meeting Room on *February 28, 2000* at approximately 1:00 P.M.; and

WHEREAS, the Board of County Commissioners, after hearing testimony, found: (1) That there are public health hazards associated with the improper disposal of sewage; (2) That due to the high clay content and due to a seasonally high water table found within the majority of Hendricks County soil types, on-site sewage disposal systems are likely to fail unless the soil limitations are recognized and overcome through proper design and construction; and (3) That there was a need to establish standards for design, construction and inspection of on-site sewage disposal systems.

NOW THEREFORE, in order to promote the health, safety and welfare of the people of Hendricks County, Indiana by diminishing the health hazards created by failing on-site sewage disposal systems, be it ordained by the Board of County Commissioners of Hendricks County, Indiana the following ordinance entitled, "Hendricks County On-Site Sewage Disposal Ordinance", be adopted.

I. DEFINITIONS

A. Agent means a registered environmental health specialist with knowledge of environmental health science employed by the Hendricks County Health Department, or other persons selected by the Health Officer to assist in the administration of this ordinance.

B. Bedroom means any room in a residence that is forty-five (45) square feet or more, contains a closet, and has at least one (1) operable window or exterior door approved for emergency egress or rescue as required by 675 IAC 14-4-30 (Indiana One and Two Family Dwelling Code). A tub with a usable capacity of greater than 125 gallons will also be counted as a bedroom when sizing the septic system.

C. Board of Health means the Hendricks County Board of Health having jurisdiction in Hendricks County, Indiana.

D. Commercial means any type of building other than a one or two family dwelling.

E. Division of Sanitary Engineering means a division within the Indiana State Department of Health.

F. Hearing means session in which witnesses are heard and testimony is taken.

G. Health Officer means the Health Officer having jurisdiction in Hendricks County, Indiana.

H. Indiana State Department of Health means the state agency having authority to regulate on-site sewage disposal systems.

I. New Installation means all necessary work to install a new OSDS in conjunction with a new building being erected.

J. Notice of Violation means a written notification of an ordinance violation.

K. On-site Sewage Disposal System or OSDS means all equipment and devices necessary for proper conduction, collection, storage, treatment, and on-site disposal of sewage from a residence or commercial facility.

L. OSDS failure means an OSDS that exhibits one (1) or more of the following:

1. OSDS refuses to accept sewage at the design rate of application thereby interfering with the normal use of plumbing fixtures.
2. Effluent discharged to the OSDS exceeds the loading rate of the soil, resulting in discharge of effluent to the ground surface or to surface waters.
3. Effluent discharged from the OSDS causes contamination of a potable water supply, ground water, or surface water.

M. Order means a written mandate a person is directed to obey.

N. Plot Plan means a graphic representation prepared by a registered engineer or professional land surveyor which identifies the topography, locations and elevations of current and proposed improvements as well as any other pertinent information required by the Planning and Building Department for an Improvement Location Permit.

O. Repair Installation means the repair or replacement of any OSDS component other than the replacement or expansion of a soil absorption field.

P. Replacement Installation means the replacement or expansion of a soil absorption field.

Q. Rule 410 IAC 6-8.1 "Residential Sewage Disposal Systems" means an Indiana State Department of Health regulation that establishes standards for residential sewage disposal systems and any amendments thereto.

R. Rule 410 IAC 6-10, "Commercial On-Site Wastewater Disposal" means an Indiana State Department of Health regulation that establishes standards for commercial on-site sewage disposal systems.

S. Soil Sample Sites means borings or pits used for describing the soils at a soil absorption field site.

T. Soil Scientist means an individual registered with the American Registry of Certified Professionals in Agronomy, Crops and Soils (ARCPACS) or the Indiana Association of Professional Soil Classifiers (IAPSC), as a certified professional soil scientist, soil specialist, or soil classifier.

U. Soil Profile Report means a written description and interpretation of the physical and chemical properties of a soil from sample sites. The written soil profile report must include a detailed soil profile description of the properties of the soil at each sample site. All sample sites must be evaluated and described in the soil profile

report. These properties must be determined using the guidelines set forth in soil manuals, technical bulletins, and handbooks of the U.S. Department of Agriculture, Natural Resources Conservation Service listed in Hendricks County Policy Document SP 11.

V. Staked means a lathe stake or equivalent at four corners of the soil absorption field if the site slope is less than 2%. A lathe stake or equivalent at each end of all proposed trenches in the absorption field if the site slope is greater than 2%.

W. Trench length means the length of the perforated pipe installed in the excavated trench.

X. Violation means breach of law.

II. GENERAL REQUIREMENTS AND EXEMPTIONS

A. All residential on-site sewage disposal systems shall be designed and installed in accordance with Rule 410 IAC 6-8.1 "Residential Sewage Disposal Systems" except as stated below:

1. Rule 410 IAC 6-8.1-38 allows for a septic tank with a capacity of seven hundred and fifty (750) gallons. In Hendricks County the minimum size of a new septic tank used in either a new, repair or replacement installation shall be a minimum of one thousand (1000) gallons.

2. Rule 410 IAC 6-8.1-46 allows for a six (6) inch thick layer of straw to be used as a cover for

aggregate in an absorption system. In Hendricks County the only allowable cover for aggregate in an absorption system shall be geotextile fabric with an effective opening size no smaller than twenty-hundredths (0.20) millimeters and no larger than eighty-five hundredths (0.85) millimeters.

B. All designs for commercial on-site sewage disposal systems must have approval from the Indiana State Department of Health, Division of Sanitary Engineering prior to installation. All design and installation must be done in accordance with Rule 410 IAC 6-10 "Commercial On-Site Wastewater Disposal" unless specific written exemption is obtained from the Indiana State Department of Health, Division of Sanitary Engineering.

C. The location of the soil absorption field and dispersal area must be protected from disturbance.

D. Whenever a public or semi-public sewer becomes available and is within three hundred (300) feet of the property line of a residential or commercial property served by an on-site sewage disposal system, holding tank, or sanitary vault privy, a direct connection shall be made to said sewer and the on-site sewage disposal system, holding tank, sanitary vault privy shall be abandoned properly in a manner that is acceptable to the Health Officer or agent.

E. The privilege of submitting soil profile reports in Hendricks County may be denied if discrepancies or inconsistencies are found. Soil profile reports, by any