

CHAPTER 848

Replacement, Addition and/or Alteration of Household Sewage Treatment Systems

- 848.01 Additions to and alterations of defective systems.
- 848.02 Use of existing leaching pits.
- 848.03 Use of original effluent discharge point.
- 848.04 New systems for homes served by privies.
- 848.05 HSTS soil treatment field restoration through soil fracturing.
- 848.06 Dangerous or unsanitary systems; condemnation.
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- 848.99 Penalty.

CROSS REFERENCES

Abatement of nuisances by Board of Health - see ORC 3707. 01

Private sewer systems - see ORC 6112

Existing installations; inspection, condensation and posting - see OAC 4101:2-51-04

Private sewers - see OAC 4101:2-51-411

Old building sewers - see OAC 4101:2-51-412

Defective plumbing tests - see OAC 4101:2-51-75

Inspection and reinspection - see EHC 64

EHC Environmental Health Code **ORC** Ohio Revised Code **OAC** Ohio Administrative Code

848.01 ADDITIONS TO AND ALTERATIONS OF DEFECTIVE SYSTEMS.

Whenever additions, alterations, and minor repairs are made to a household sewage treatment system (HSTS) and the HSTS is found to be faulty or defective, the entire HSTS shall then be made to conform with the requirements of this chapter. When conformance with the “new system” requirements is not possible a variance application may need to be submitted in accordance with EHC Chapter 880. After considering all applicable physical site factors and other reasonable extenuating circumstances, as determined relevant by the Health Commissioner, the Health Commissioner may authorize application of less stringent than current “new system” requirements, provided that public health protection is assured. The following less restrictive allowances may be made without specific variance:

- (a) HSTS components that are normally required to be constructed in alternating fields may be waived to allow the installation of a single component of the same size as one of the alternating component.
- (b) ET field isolation distance requirements may be reduced to a property line to a minimum of 10 feet and the down-slope property line may also be reduced to 10 feet where a curtain drain, perimeter drain or grassy swale is used to direct potential surfacing effluent away from a property line and the drain is capable of being discharged by gravity flow.
- (c) Lot size is less than the minimum requirements.
- (d) Reduction in the size of the HSTS components when site conditions are limiting.

848.02 USE OF EXISTING SEWAGE TANKS.

Existing sewage tanks of at least 500 gallons capacity, fitted with proper baffles or tees, may be utilized as a second septic tank if, in the opinion of the Health Commissioner and the Installer, they are in sound structural condition.

848.03 USE OF A TREATED EFFLUENT DISCHARGE.

For an existing HSTS that needs to be remodeled or replaced, an effluent discharge may be permitted if:

- (a) There is not adequate room for the replacement of the failing or discharging system with a non-discharging HSTS.
- (b) An acceptable point of discharge exists that meets the requirements of EHC 816.02
- (c) Conditions meet the requirement of the Ohio EPA's General NPDES permit and the applicant has received notice of coverage from the Ohio EPA.

848.04 NEW SYSTEMS FOR HOMES SERVED BY PRIVIES.

When installing a new HSTS for an existing home that has been served by a privy, regulations covering a new HSTS will apply.

848.05 HSTS SOIL TREATMENT FIELD RESTORATION THROUGH SOIL FRACTURING.

The Health District does not have sufficient independent evidence to consider soil fracturing to be an effective means of improving the function of a HSTS. However, if a property owner chooses to contract with a registered HSTS installer for such service, the following limitations apply: soil fracturing may not be used on filter devices (such as, mounded and subsurface sand filters.) If the performance of the HSTS fails to improve within sixty days of the soil fracturing process to a satisfactory function, as determined by the Health Commissioner, the system must be replaced accordingly.

848.06 DANGEROUS OR UNSANITARY SYSTEMS; CONDEMNATION.

Whenever it comes to the attention of the Health Commissioner, or a complaint in writing is made by any resident, that a HSTS has become bad, defective, unsanitary, unsafe, faulty or liable to breed disease or endanger the property or health of a person, the Health Commissioner shall inspect the HSTS and, if the same is found to be defective or unsanitary, shall condemn the HSTS as being dangerous, unsanitary and unfit for service.

848.07 REPAIRS AND IMPROVEMENTS.

When a HSTS has been condemned, the Health Commissioner shall notify the owner, agent or occupant, in writing, and shall designate the repairs or improvements required to be made, and unless the same are commenced within the time allotted after such notice is issued, the owner, agent or occupant of the building,

structure or premises, which is serviced by the condemned HSTS shall, in writing, furnish proof that the repairs or improvements have been arranged for and that an extension of time is necessary.

848.08 NOTICE OF CONDEMNATION.

When a HSTS has been condemned, the Health Commissioner may post at some conspicuous location on the building, structure or premises served by the condemned HSTS, one or more notices, which shall be in the following form:

CONDEMNED: This building is condemned for human occupancy or habitation.

Reason: Defective Household Sewage Treatment System

By order of the Board of Health of the Summit County Combined General Health District

By _____
(Name) (Title)

Such notice shall remain on the building, structure or premises until the required repairs or improvements have been made. No person shall deface or remove any such notice that has been placed or posted on any building, structure or premises. No person shall live in, occupy or use the building, structure or premises for any purpose while so condemned.

848.08 PUMPING OF EFFLUENT DURING REPAIR PROCESS.

If the effluent of a septic tank, lift station, or distribution box, must be pumped to complete repair work, the effluent must be pumped by a registered liquid waste hauler prior to performing any work on the repair and may not be discharged to the surface of the ground. Such action by an installer, service provider or septage hauler shall be subject to suspension or revocation of registration.

848.99 PENALTY.

Whoever violates or fails to comply with any of the provisions of this Environmental Health Code shall be in violation of ORC 3707.48, 3709.20, 3709.21 or 3709.22, and subject to penalties provided in ORC 3707.99 and 3709.99.

(Resolution 165-07, July 12, 2007)