

Laclede County Wastewater Treatment System Ordinance

PURPOSE:

- 1.1 These rules and regulations are enacted to regulate the design, construction, modification and operation of small on-site wastewater systems as defined by “Missouri Laws for On-Site Disposal Systems” in order to help protect the public health, control nuisances and health hazards, prevent the further transmission of infectious communicable diseases, and to help prevent contamination of surfaces and ground water by infectious organisms and toxic or damaging chemicals in Laclede County.

AUTHORITY:

- 1.2 These rules and regulations are enacted by authority vested in the County Commission of Laclede County, Missouri and/or the Department of Health of the State of Missouri (Contracting Agency); pursuant to Section 192.300 RSMo (Supp. 2001 as enacted by Senate Bill 68 merged with Senate Bill 112 of the 85th General Assembly).

ADOPTION:

- 1.3 The County Commission of Laclede County, Missouri hereby adopts, aside from the exceptions stated under EXCEPTIONS 1.4: the State Standards pursuant to Sections 701.025 through 701.059 RSMo.; Department of Health & Senior Services Rules Governing On-Site Systems pursuant to 19 CSR, 20-3.060; Senate Bill 1433; and the description of persons qualified to perform percolation tests or soils morphology examinations in determining soils properties for On-Site Sewage Disposal Systems pursuant to 19 CSR 20-3.080.

EXCEPTIONS:

1.4/A The Contracting Agency may charge a fee greater than that listed in the State Standard if it is determined that present fees are not adequate to administer this program.

1.4/B Only authorized personnel of the Contracting Agency may perform inspections.

1.4/C Any reference to the “Department” used in Section 701.025 through 701.059 shall mean the Contracting Agency or its designated representatives.

1.4/D An installation permit is required on lots or tracts of less than five (5) acres.

1.4/E All septic and/or pump tank manufacturers and/or distributors within Laclede County, Missouri or doing business within Laclede County, Missouri, including those who deliver to a specific property within Laclede County, Missouri must notify the Contracting Agency on the intended delivery, no less than three (3) days prior to delivery of the septic and/or pump tank.

1.4/F On-Site Sewage Installers must be registered with the Contracting Agency prior to any construction, alteration, renovation or repair of on-site sewage disposal and treatment systems within Laclede County, Missouri. The installer must supply the Contracting Agency with a copy of its valid registration, whether basic or advanced, by the Missouri Department of Health & Senior Services on an annual basis. A \$100.00 annual fee will be paid to the Contracting Agency by installers. Any person, firm, corporation, or

association which violates this adopted ordinance, is guilty of a misdemeanor and shall be prosecuted, tried and fined as otherwise provided by law.

VARIANCES:

- 1.5 A variance may be considered and granted by the On-Site Wastewater Board of Review concerning installation or repair to on-site wastewater systems at the discretion of the On-Site Wastewater Board of Review and with assurance for protection of the public health and preservation of the quality of surface and ground water. Variances may be allowed as specified in 10 CSR 20-3.060 (Chapter 6, Section 2, Page 27). Any final decision of the On-Site Wastewater Board of Review may be appealed to the Circuit Court of Laclede County, Missouri.

The County Commission of Laclede County, Missouri shall appoint an On-Site Wastewater System Board of Review consisting of five (5) members to be known as the On-Site Wastewater System Board of Review which shall review and determine applications for variances as authorized by these regulations and hear and determine appeals from administrative authority decisions as are authorized and prescribed. The voting members of the Board of Review shall be appointed by the County Commission of Laclede County, Missouri, and shall consist of one (1) certified installer, one (1) licensed engineer, one (1) Laclede County Commissioner, one (1) representative from the local Board of Realtors, and one (1) citizen at large owning real estate containing an on-site wastewater system. A member of the Contracting Agency shall provide administrative support to the On-Site Wastewater System Board of Review and serves as a non-voting member of the Board. Persons occupying seats on the On-Site Wastewater System Board of Review shall be subject to removal by the County Commission of Laclede County, Missouri for misconduct or neglect of office. Members of the On-Site Wastewater System Board of Review shall be appointed for staggered terms of one (1), two (2), and three (3) years. The Board of Review shall be entitled to establish rules of procedure and by-laws for the conduct of its' business; subject to review, modification and approval by the County Commission of Laclede County, Missouri.

ADMINISTRATIVE AUTHORITY:

- 1.6 The Administrative Authority is the Contracting Agency's authorized representative(s).

REGISTRATION PERIOD:

- 1.7 The registration year for Registered Installers shall run from June 1st of each year through May 31st of the succeeding year.

ILLEGAL INSTALLER:

- 1.8 Illegal Installer means any person, firm, corporation, or association engaging in construction, alteration, renovation, or repair of an on-site sewage disposal and treatment system within Laclede County, Missouri, who is not registered for the current year within Laclede County, Missouri.

ILLEGAL INSTALLATION:

- 1.9 An Illegal Installation is any installation not in compliance with the laws and rules of the State of Missouri and these rules and regulations.

FEES:

1.10/A The Contracting Agency shall provide an on-site sewage disposal system application and permit at a fee of \$125.00, to be paid by the owner or installer. This permit will be listed under the landowner's name, as listed at the Laclede County Assessor's Office. This permit includes a pre and post system inspection by the Contracting Agency representative(s). If a system requires additional inspections (other than pre and post inspection), a fee of \$200.00 per inspection will be charged to the Registered Installer.

1.10/B The money generated by permits and inspection fees shall be deposited in the Contracting Agency fund to be used for implementing the state standard.

EFFECTIVE DATE:

1.11 These rules and regulations shall become effective on the date adopted and certified by the County Commission of Laclede County, Missouri.

Adopted: 06/26/1998

Revised: 04/07/2006