

**4-1: Private Sewage Disposal Systems Regulations**

**4-1-1: Definitions**

**4-1-2: Private Sewage Disposal Systems**

**4-1-3: Permits, Inspections, and Fees**

**4-1-4: Powers of Inspection**

**4-1-5: Notices**

**4-1-6: Fines for Ordinance Violations**



**ARTICLE 4: SEWAGE**

## **ARTICLE 4: SEWAGE**

### **4-1: Private Sewage Disposal Systems Regulations**

#### **4-1-1: Definitions**

Unless the context specifically indicates otherwise the meaning of terms used in this Article shall be as follows:

**A. Sewage:** Shall mean any combination of human excreta and waste water from closets, laundries, sinks, bathing facilities, and other objectionable waste waters.

**B. Public Sewer:** Shall mean any sewer constructed, installed, maintained, operated and owned by a municipality or a taxing district established for that purpose. A county sewer installed for the purpose of carrying surface water run-off and sub-soil drainage shall not be considered a public sewer under this definition.

**C. Sewer:** Shall mean a pipe or conduit for carrying sewage.

**D. Combined Sewer:** Shall mean a sewer receiving both surface water run-off and sewage.

**E. Sanitary Sewer:** Shall mean a sewer which carried sewage and to which storm, surface and ground waters are not intentionally admitted.

**F. Sewage Disposal System:** Shall mean any arrangement of devices and structures used for receiving, treating, and disposing of sewage.

**G. Private Sewage Disposal System:** Shall mean any sewage disposal system not constructed, installed, maintained, operated, and owned by a municipality or a taxing district established for the purpose.

**H. Person:** Shall mean an individual, firm, or corporation.

#### **4-1-2: Private Sewage Disposal Systems**

**A.** Where a public sanitary or combined sewer is not available, all persons owning or leasing property shall comply with the following provisions of this Article for private sewage disposal systems.

**B.** It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the County of Starke, State of Indiana or in any area under the jurisdiction of said County, any human excrement or sewage.

**C.** At any business building situated within the County of Starke, State of Indiana, where there is installed a sewage disposal system which is not connected to a public sewer system and no public sewer system is available, there shall be established, installed, or constructed and maintained a private sewage disposal system which shall comply with the standards of the Indiana State Board of Health as contained in Bulletin S.E. 13 of the Indiana State Board of Health or in such other manner as approved by the Indiana State Board of Health. Copies of said Bulletin S.E. 13 are herewith incorporated by reference as part of this section and two copies are filed in the Office of the County Auditor and County Health Officer for public inspection.

**D.** Any privy situated within the County of Starke, State of Indiana, shall be of the sanitary type and shall be constructed and maintained in a clean condition and so that insects and rodents cannot enter the vault. Any privy shall be located properly to protect water supplies from contamination.

**E.** All private residential sewage disposal systems and privies shall be installed, constructed, and maintained in an approved manner as recommended in the Bulletin S.E. 8 and 11 of the Indiana State Board of Health, copies of which are herewith incorporated by reference as part of the section and two copies filed in the Office of the County Auditor and County Health Officer for public inspection.

**F.** The installation of any other private residential sewage disposal systems not described in Indiana State Board of Health Bulletin S.E. 8 and 11 of mechanical, chemical or other means may be approved by the Starke County Health Officer after said plans and specifications have been approved by the Indiana State Board of Health.

**G.** Should any defect exist or occur in any private sewage disposal system or privy which would cause said sewage disposal system or privy to fail to meet the requirements in Sections 4-1-3, 4-1-4, and 4-1-5, and cause an unsanitary condition, the defect shall be corrected immediately by the owner or agent of the owner, occupant, or agent of the occupant. Failure to do so shall be a violation of

this Article and the violator shall be subject to the penalties prescribed in Section 4-1-5 of this Article.

**H.** Wherever a public combined or sanitary sewer becomes available and is within 150 feet of the building served by a private sewage disposal system or privy, situated within the County of Starke, State of Indiana, a direct connection shall be made to said sewer and any septic tanks, disposal and treatment facilities shall be abandoned and filled in a safe and sanitary manner.

**I.** Whenever a new business building or subdivision is developed in an area where a public combined or sanitary sewer is available a connection shall be made to said sewer.

#### **4-1-3: Permits, Inspection, and Fees**

**A.** Before commencement of construction of any building residence where a private sewage disposal or privy is to be installed, or where any alteration, repair, or addition of any existing private sewage disposal system is planned, the owner or agent of the owner shall first obtain a written permit signed by the County Health Officer. The application for such permit shall be made on a form provided by the Starke County Health Department, which applicant shall supplement by any plans, specifications, and other information as are deemed necessary by the County Health Officer. A fee is to be paid to the Starke County Health Department as set by the County Board of Health.

**B.** The application for a permit shall be posted in a conspicuous place at or near the building where the sewer disposal system is under construction. The notice should be plainly visible from the public thoroughfare serving this building.

**C.** An approval for a private sewage disposal system or privy shall not become effective until the installation is completed to the satisfaction of the County Health Officer. He or his agent, shall be allowed to inspect the work at any stage of construction; and in any event, the applicant for the permit shall notify the County Health Officer when the work is ready for final inspection and before any underground portions are covered. The inspection shall be made within two working days of the receipt of notice by the County Health Officer.

#### **4-1-4: Powers of Inspection**

The County Health Officer or his agent bearing proper credentials and identifications shall be permitted to enter upon all properties at the proper time for purposes of inspection, observation, measurement, sampling, and testing necessary to carry out the provisions of this Article.

#### **4-1-5: Notices**

Any person found to be violating any provision of this Article may be served by the County Board of Health or the duly appointed Health Officer, with a written order stating the nature of the violation and providing a time limit for satisfactory correction thereof. Said order shall be served on the owner, or the owner and the occupant, or on the agent of the owner, but may be served on any person who, by contact with the owner, has assumed the duty of complying with the provisions of an order.

#### **4-1-6: Fines for Ordinance Violations**

After receiving an order in writing from the County Board of Health or the duly appointed Health Officer, the owner, agent of the owner, the occupant or agent of the occupant of the property shall satisfactorily correct the violation as set forth in said order and within the time limit included therein. Any person found to be violating any provision of this ordinance and having failed to comply with the written order of the Starke County Board of Health within the time limit provided therein for the satisfactory correction of said violation shall be subject to a fine of not more than \$100.00 per day per each day after the expiration of the time limit contained in said notice that the violation continues uncorrected; provided, however, that total fines assessed for a particular violation shall not exceed twenty-five hundred dollars (\$2,500.00).

