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TAMA COUNTY, IOWA  
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*Marlene*  
*Thurman* RECORDER  
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Tama County, Iowa, approved July 23, 2002; published on August 8, 2002

## On-Site Wastewater Treatment and Disposal Systems

Chapter 137, Code of Iowa as amended specifies:

Section 6, Local Boards of Health shall have the following powers to:

1. Enforce State health laws, the rules and lawful orders of the State Department.
2. Make and enforce such reasonable rules and regulations not inconsistent with law or with the rules of the State board as may be necessary for the protection and improvement of public health.

Under the authority granted and the requirements mandated in Chapter 455.172 of the Code of Iowa, 2001 as amended by these rules and regulations have been promulgated by the Tama County Board of Health and shall become effective upon publication of said rules in the Tama News Herald, Toledo Chronicle, and the Traer Star-Clipper (approx. August 9, 2002).

These rules and regulations shall supersede all other rules and regulations set forth by the Tama County Board of Health relating to on-site wastewater treatment and disposal which have been effective to date.

### SECTION A. DEFINITIONS

1. "Administrative Authority" - The Tama County Board of Health, as authorized by Chapter 137 of the Code of Iowa, or any individual designated by the Board, to act in its name in implementing these regulations.
2. "Department" - The Iowa Department of Natural Resources.
3. "Local Board" - Tama County Board of Health.
4. "Nuisance" - As defined in Chapter 67 of the Code of Iowa.
5. "On-site Wastewater Treatment and Disposal System" - All equipment and devices necessary for the proper conduction, collection, storage, treatment and disposal of wastewater from a dwelling or other facility serving the equivalent of fifteen persons or less.
6. All terms defined in Chapter 69.3 (1) of the Iowa Administrative Code 567, shall be defined the same for these regulations.

### SECTION B. GENERAL REQUIREMENTS

1. It is prohibited for any household drainage and/or sewage, to be discharged to any ditch, stream, lake, pond, natural or artificial waterway, county drain tile, surface water drain tile, or to the surface of the ground. Such waste material shall be disposed of in such a sanitary manner as is prescribed by these rules and regulations.
2. All on-site wastewater treatment and disposal systems located in the County, including the corporate boundaries of incorporated cities and towns, shall be constructed and equipped in accordance with the specifications and requirements set forth by the Department in the Iowa Administrative Code 567, Chapter 69.

The permit for installation of the on-site wastewater treatment and disposal system shall be obtained prior to the construction of, or addition to, any dwelling or building to be served by this system. No private sewage disposal system shall be installed when a public sewer is reasonably accessible, as determined by the Administrative Authority.

3. In the event that a private sewage disposal system should fail, or otherwise be found to cause a nuisance, a connection shall be made to a public sewer within thirty days when public sewer is reasonable accessible.
4. In the event an on-site wastewater treatment and disposal system should fail, or otherwise be found to cause a nuisance, and a sanitary sewer is not available, said system shall be made to conform to these rules and regulations. If subject system is not made to conform to the aforementioned rules and regulations, habitation of the contributing structure shall be discontinued.

**SECTION C – PERMIT REQUIREMENTS**

1. Any person, firm or corporation desiring a permit must file an application with the Tama County Board of Health, stating the owner's name, current mailing address, number of bedrooms in structure serviced, type of water supply and other information as may be required by the local Board on the "Application for permit to construct, reconstruct, or alter an on-site wastewater treatment and disposal system."
2. Must have a permit prior to construct, reconstruct, alter, or repair a private sewage disposal system in the County of Tama, State of Iowa, shall also include the results of a soil percolation test certified by the Environmentalist. (This may also include a soil evaluation test with a soil probe and use of a Munsel book.) The percolation test must be performed in accordance with the procedure set out in Chapter 69 of the Iowa Administrative Code 567 and by the Tama County Board of Health. The Environmentalist must approve any deviation from the plans or specifications appearing on the application.
3. Upon approval of the application by the Tama County Environmentalist, the permit will be issued upon payment of the required fees made payable to the Tama County Health Department.
4. Fees:
  - a) Septic tank and/or subsurface absorption field ..... \$ 100.00
  - b) Impervious vault toilets and holding tanks ..... \$ 100.00
  - c) Re-inspection or each additional\* inspection ..... \$ 75.00  
*\*2 years after system was installed*
  - d) Sand filters or other type of private sewage system ..... \$ 100.00
  - e) Inspection at time of sale (If physical activity and equipment is to be used ..... \$ 75.00The permit must be maintained on the site before and during construction. The inspecting official upon final approval must sign this permit.
5. Permits shall be valid for a maximum of twelve (12) months from the time of issuance, during which time the on-site wastewater treatment and disposal system shall be completed.

**SECTION D. INSPECTION**

1. Notification: The Environmentalist shall be notified orally by telephone, or in writing, not less than eight (8) working hours, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, before the work is to be inspected and tested.
2. No part of any private sewage disposal system shall be used, covered or constructed so as to deny the mandatory inspection by the Tama county Environmentalist. An on-site wastewater treatment and disposal system is considered ready for inspection when the house sewer, septic tank, distribution box and drainage pipes are in place. The Environmentalist may use his/her discretion on procedure in the event of inclement weather.
3. Inspection of repaired, altered, reconstructed, or replacement system: If an existing on-site wastewater treatment and disposal system is being repaired, altered, reconstructed, or a new system is being installed to replace an existing system, the building to be served by this repaired, altered, reconstructed or replacement system must be connected to the building sewer line before inspection is made.

4. When the on-site wastewater treatment and disposal system has been completed, a drawing must be submitted to the satisfaction of the Tama County Environmentalist, or its authorized agent, showing the exact layout of the septic tank, all distribution box(es), the secondary treatment system, and location of the structure to be served by the system.
5. If the Environmentalist, or the authorized agent, deems re-inspection is necessary, the re-inspection fee must be paid prior to the time of re-inspection\*.  
*\*2 years after previous installation*
6. Whenever the Environmentalist has reasonable grounds to believe that a violation exists, he/she may enter upon and make an inspection of such premises, dwelling or other building and gather other necessary information including water samples and instill into the system necessary testing materials for tracking the source of any apparent sewage discharge to the surface of the ground. The owner or occupant of such premises shall permit the Environmentalist to enter such premises to make such inspection and to obtain such samples. Such inspection shall be made between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday and at other times with the consent of the occupant, or in case of emergency. The provisions of this section shall apply to all premises, buildings, or dwellings, vacant or occupied. The Environmentalist may make, as many additional inspections of such premises as are deemed necessary. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his/her agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this regulation or with any lawful regulation adopted or any lawful order issued pursuant to the provision of this regulation.

**Refusal of Admittance**

In the event the Environmentalist shall be refused entry for the purposes of making an inspection to carry out the provisions of this regulation, a complaint shall be made under oath to a magistrate of the County. Said magistrate may thereupon issue a warrant directing a Peace Officer to accompany a member of the Health Department to enter upon such premises and to make such inspection and to obtain such samples as may be required to carry out the provision of this regulation.

**SECTION E. WELLS**

If an on-site wastewater treatment and disposal system is to be constructed, reconstructed, altered, or repaired and a working well is located less than the minimum distance as set out in the Iowa Administrative Code 567, Chapter 69.3, then the disposal system must be moved in accordance to Administrative Code.

**SECTION F. PROPERTY TRANSFER INSPECTION**

1. All on-site wastewater treatment and disposal systems in Tama County shall be inspected and evaluated for compliance during any change in ownership of the land with the exemption of spouse, children and family corporations. The property holder selling the property shall obtain the inspection report from the Tama County Board of Health and present it to the buyer of the property prior to, or during the negotiation of the sale transaction.
2. A normal inspection will include a walk-around and visual inspection by the Environmentalist.
3. The failed septic tank inspection may include unearthing, emptying and inspection of the septic tank and inspection of the distribution box. All costs shall be the responsibility of the property owner.
4. If the original owner fails to have the property inspected as required, the buyer shall assume this responsibility along with any renovation costs.

5. The seller shall pay an inspection fee after receipt of the inspection report.
6. Any on-site waste water treatment and disposal system, which was installed under County permit, or passed County inspection within two (2) years previous to sale or transfer, is exempt from further inspection until the next change of ownership.

**SECTION G. SEVERABILITY**

Each section, paragraph, sentence, clause and provision of these rules and regulations is separate and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of these rules and regulations nor any part other than that part affected by the decision.

**SECTION H. VARIANCES**

Variations to these rules and regulations may be granted by the proper authority provided sufficient and proposed alternative information is afforded to substantiate the need and propriety for such action. Variations shall be requested in writing and addressed to the Tama County Board of Health and the Iowa Department of Natural Resources, if necessary.

**SECTION I. PENALTIES**

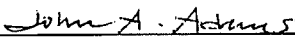
Chapter 137.21 of the Code of Iowa specifies: "Any person who violates any provision of the Chapter of the rules and regulations of a Local Board or any lawful order of said Board, officers, or its authorized agent shall be guilty of a misdemeanor. Each additional day of neglect or failure to comply with such provision, rule, or lawful order, after notice of violation by the local Board, shall constitute a separate offense.

**SECTION J. APPEAL**

Any person, who feels aggrieved by any notice or order made by the Tama County Board of Health or its authorized agent, shall have the right to appeal to the Tama county Board of Health at the next regular meeting. The Tama County Board of Health by majority vote, may modify, withdraw or order compliance with said notice or order. Upon failure to reach an agreement, the Board of Supervisors will intervene.

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These regulations approved by the Tama County Board of Supervisors on July 23, 2002, as noted by official action of the Board of Supervisors, Minute Book Q, Page 207A; and published as prescribed by Iowa Statute. Affidavits of Publication are attached.

  
Tama County, Iowa,  
for Tama County by  
John A. Adams, County Auditor  
September 18, 2002

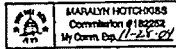
Affidavit of Publication

STATE OF IOWA, ) ss. Tama County, Iowa.

I, Nancy Sund being first duly sworn under oath depose and say I am the General Manager of the Tama News-Herald, a weekly newspaper of general circulation printed wholly in the English language and published at Tama, Tama County, Iowa; that the

Notice, Tama County On-site wastewater treatment was published a copy of which is hereto attached and made a part of this affidavit, was published wholly in the English language for one consecutive weeks in said newspaper; that the first publication was in the issue published on the 8th day of August, 2002, and the last publication was on the day of 20, and the statutory fees for publishing said notice are \$ 214.20.

TAMA NEWS-HERALD By Nancy Sund Subscribed and sworn to before me this 10th day of September, 2002. Marilyn Hotchkiss Notary Public in and for Tama County, Iowa



ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS Chapter 137, Code of Iowa as amended specifies: Section 6. Local Boards of Health shall have the following powers to: 1. Enforce State health laws, the rules and lawful orders of the State Department of Health and enforce such reasonable rules and regulations not inconsistent with law or with the rules of the State board as may be necessary for the protection and improvement of public health. Under the authority granted and the requirements mandated in Chapter 455,172 of the Code of Iowa, 2001 as amended by these rules and regulations have been promulgated by the Tama County Board of Health and shall become effective upon publication of said rules in the Tama News Herald, Toledo Chronicle, and the Tama Star-Copier (approx. August 9, 2002). These rules and regulations shall supersede all other rules and regulations set forth by the Tama County Board of Health relating to on-site wastewater treatment and disposal which have been effective to date. SECTION A. DEFINITIONS 1. "Administrative Authority" - The Tama County Board of Health, as authorized by Chapter 137 of the Code of Iowa, or any individual designated by the Board, in act in its name in implementing these regulations. 2. "Department" - The Iowa Department of Natural Resources. 3. "Local Board" - Tama County Board of Health. 4. "Nuisance" - As defined in Chapter 67 of the Code of Iowa. 5. "On-site Wastewater Treatment and Disposal System" - All equipment and devices necessary for the proper collection, collection, storage, treatment and disposal of wastewater from a dwelling or other facility serving the equivalent of fifteen persons or less. 6. All terms defined in Chapter 69.3 (1) of the Iowa Administrative Code 567, shall be defined the same for these regulations. SECTION B. GENERAL REQUIREMENTS 1. It is prohibited for any household drainage and/or sewage, to be discharged to any ditch, stream, lake, pond, natural or artificial waterway, county drain or surface water drain (S.W.D.), or to the surface of the ground. Such waste material shall be disposed of in such a sanitary manner as is prescribed by these rules and regulations. 2. All on-site wastewater treatment and disposal systems located in the County, including the corporate boundaries of incorporated cities and towns, shall be constructed and equipped in accordance with the specifications and requirements set forth by the Department in the Iowa Administrative Code 567, Chapter 69. 3. The permit for installation of the on-site wastewater treatment and disposal system shall be obtained prior to the construction of, or addition to, any dwelling or building to be served by this system. No private sewage disposal system shall be installed when a public sewer is reasonably accessible, as determined by the Administrative Authority. 4. In the event that a private sewage disposal system should fail, or otherwise be found to cause a nuisance, a connection shall be made to a public sewer within thirty days when public sewer is reasonably accessible. 5. In the event an on-site wastewater treatment and disposal system should fail, or otherwise be found to cause a nuisance, and a sanitary sewer is not available, said system shall be made to conform to these rules and regulations. If subject system is not made to conform to the aforementioned rules and regulations, habitation of the contributing structure shall be discontinued. SECTION C. PERMIT REQUIREMENTS 1. Any person, firm or corporation desiring a permit must file an application with the Tama County Board of Health, stating the owner's name, current mailing address, number of bedrooms in structure serviced, type of water supply, and other information as may be required by the local Board on the "Application for permit to construct, reconstruct, or alter an on-site wastewater treatment and disposal system." 2. Must have a permit prior to construct, reconstruct, alter, or repair a private sewage disposal system in the County of Tama, State of Iowa, shall also include a soil permeability test certified by the Environmentalist. (This may also include a soil evaluation test with a soil probe and use of a Munst book.) The permeability test must be performed in accordance with the procedure set out in Chapter 69.3 (1) of the Iowa Administrative Code 567 and by the Tama County Board of Health. The Environmentalist must approve any deviation from the plans or specifications appearing on the application. 3. Upon approval of the application by the Tama County Environmentalist, the permit will be issued upon payment of the required fees made payable to the Tama County Health Department. 4. Fees a) Septic tank and/or subsurface absorption field.....\$ 100.00 b) Impervious vault toilets and holding tanks.....\$ 100.00 c) Re-inspection or such additional inspection.....\$ 25.00 - 2 years after system was installed - d) Sand filter or other type of private sewage system.....\$ 100.00 e) Inspection at time of sale (if physical activity and equipment is to be used).....\$ 75.00 The permit must be maintained on the site before and during construction. The inspecting official upon final approval must sign this permit. Permits shall be valid for a maximum of twelve (12) months from the time of issuance, during which time the on-site wastewater treatment and disposal system shall be completed. SECTION D. INSPECTION 1. Notification: The Environmentalist shall be notified orally by telephone, or in writing, not less than eight (8) working hours, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, before the work is to be inspected and tested. 2. Inspection of existing private sewage disposal systems shall be used, covered or constructed so as to deny the mandatory inspection by the Tama County Environmentalist. An on-site wastewater treatment and disposal system is considered ready for inspection when the house sewer, septic tank, distribution box and drain pipe are in place. The Environmentalist may use blower operation procedure in the event of inclement weather. 3. Inspection of repaired, altered, reconstructed, or replacement systems: If an existing on-site wastewater treatment and disposal system is being repaired, altered, reconstructed, or a new system is being installed to replace an existing system, the building to be served by this repaired, altered, reconstructed or replacement system must be connected to the building sewer line before inspection is made. 4. When the on-site wastewater treatment and disposal system has been completed, a drawing must be submitted to the satisfaction of the Tama County Environmentalist, or its authorized agent, showing the exact layout of the septic tank, all distribution boxes, the secondary treatment system, and location of the structure to be served by the system. 5. If the Environmentalist, or the authorized agent, deems re-inspection is necessary, the re-inspection fee must be paid prior to the time of re-inspection. 6. Whenever the Environmentalist has reasonable grounds to believe that a violation exists, he/she may enter upon and make an inspection of such premises, dwelling or other building and gather other necessary information including water samples and flush into the system necessary testing materials for locating the source of any apparent sewage discharge to the surface of the ground. The owner or occupant of such premises shall permit the Environmentalist to enter such premises to make such inspection and to obtain such samples. Such inspection shall be made between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday and at other times with the consent of the occupant, or in case of emergency. The provisions of this section shall apply to all premises, buildings, or dwellings, vacant or occupied. The Environmentalist may make as many additional inspections of such premises as are deemed necessary. Every occupant of a dwelling or dwelling unit shall give the owner thereof, or his/her agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to affect compliance with the provisions of this regulation or with any lawful regulation adopted or any lawful order issued pursuant to the provision of this regulation. Refusal of Admittance In the event the Environmentalist shall be refused entry for the purposes of making an inspection to carry out the provisions of this regulation, a complaint shall be made under oath to a magistrate of the County. Said magistrate may the upon issue a warrant directing a Peace Officer to accompany a member of the Health Department to enter upon such premises and to make such inspection and to obtain such samples as may be needed to carry out the provision of this regulation. SECTION E. WELLS 1. If an on-site wastewater treatment and disposal system is to be constructed, reconstructed, altered, or repaired and a working well is located less than the minimum distance as set out in the Iowa Administrative Code 567, Chapter 69.3, then the disposal system must be moved in accordance to Administrative Code. SECTION F. PROPERTY TRANSFER INSPECTION 1. All on-site wastewater treatment and disposal systems in Tama County shall be inspected and evaluated for compliance during any change in ownership of the land with the exception of spouse, children and family corporations. The property holder selling the property shall obtain this inspection report from the Tama County Board of Health and present it to the buyer of the property prior to, or during the negotiation of the said transaction. 2. A normal inspection will include a walk-around and visual inspection by the Environmentalist. 3. The listed septic tank inspection may include unearthing, emptying and inspection of the septic tank and inspection of the distribution box. All costs shall be the responsibility of the property owner. 4. If the original owner is to have the property inspected as required, the buyer shall assume the responsibility along with any renovation costs. 5. The seller shall pay an inspection fee after receipt of the inspection report. 6. Any on-site waste water treatment and disposal system, which was installed under County permit, or passed County inspection within two (2) years previous to sale or transfer, is exempt from further inspection until the next change of ownership. SECTION G. BEVERABILITY 1. Each section, paragraph, sentence, clause and provision of these rules and regulations is separate and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of these rules and regulations nor any part other than that part affected by the decision. 2. Variances to these rules and regulations may be granted by the proper authority provided sufficient and proposed alternative information is afforded to substantiate the need and propriety for such action. Variances shall be requested in writing and addressed to the Tama County Board of Health and the Iowa Department of Natural Resources, if necessary. SECTION H. PENALTIES Chapter 137.21 of the Code of Iowa specifies: "Any person who violates any provision of the Chapter of the rules and regulations of a Local Board or any lawful order of said Board, officers, or its authorized agent shall be guilty of a misdemeanor. 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Affidavit of Publication

STATE OF IOWA, ) ss.  
Tama County, )

I, Nancy Sund  
being first duly sworn under oath depose and say I am the General Manager of the Toledo Chronicle, a weekly newspaper of general circulation printed wholly in the English language and published at Toledo, Tama County, Iowa; that the

Notice Tama County On-site Wastewater Treatment

was published \_\_\_\_\_ a copy of which is hereto attached and made a part of this affidavit, was published

wholly in the English language for \_\_\_\_\_ consecutive weeks in said newspaper; that the first publication was in the issue published on the \_\_\_\_\_ day of

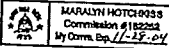
August \_\_\_\_\_, 2002, and the last publication was on the \_\_\_\_\_ day of \_\_\_\_\_, 2002, and the statutory fees for publishing said notice are \$ 214.20.

TOLEDO CHRONICLE

By: Nancy Sund

Subscribed and sworn to before me this 10th day of September, 2002.

Marilyn Hotchkiss  
Notary Public in and for Tama County, Iowa



ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS

Chapter 137, Code of Iowa as amended specifies:  
Section 4. Local Boards of Health shall have the following powers to:  
1. Enforce State health laws, the rules and lawful orders of the State Department.  
2. Make and enforce such reasonable rules and regulations not inconsistent with law or with the rules of the State board as may be necessary for the protection and improvement of public health.  
Under the authority granted and the requirements mandated in Chapter 455.172 of the Code of Iowa, 2001 as amended by these rules and regulations have been promulgated by the Tama County Board of Health and shall become effective upon publication of said rules in the Tama News Herald, Toledo Chronicle, and the Tama Star-Opport (effective August 8, 2002).  
These rules and regulations shall supersede all other rules and regulations set forth by the Tama County Board of Health relating to on-site wastewater treatment and disposal which have been effective to date.

SECTION A. DEFINITIONS  
1. "Administrative Authority" - The Tama County Board of Health, as authorized by Chapter 137 of the Code of Iowa, or any individual designated by the Board to act in its name in implementing these regulations.  
2. "Department" - The Iowa Department of Natural Resources.  
3. "Local Board" - Tama County Board of Health.  
4. "Nuisance" - As defined in Chapter 47 of the Code of Iowa.  
5. "On-site Wastewater Treatment and Disposal System" - All equipment and devices necessary for the proper collection, collection, storage, treatment and disposal of wastewater from a dwelling or other facility serving the equivalent of three persons or less.  
6. All terms defined in Chapter 88.3 (1) of the Iowa Administrative Code 567, shall be defined the same for these regulations.

SECTION B. GENERAL REQUIREMENTS  
1. It is prohibited for any household drainage and/or sewage, to be discharged to any ditch, stream, lake, pond, natural or artificial waterway, county drain, surface water drain, or to the surface of the ground. Such waste material shall be disposed of in such a sanitary manner as is prescribed by these rules and regulations.  
2. All on-site wastewater treatment and disposal systems located in the County, including the complete boundaries of incorporated cities and towns, shall be constructed and equipped in accordance with the specifications and requirements set forth by the Department in the Iowa Administrative Code 567, Chapter 69.  
The permit for installation of the on-site wastewater treatment and disposal system shall be obtained prior to the construction of, or addition to, any dwelling or building to be served by this system. No private sewage disposal system shall be installed when a public sewer is reasonably accessible, as determined by the Administrative Authority.  
3. In the event that a private sewage disposal system should fail, or otherwise be found to cause a nuisance, a connection shall be made to a public sewer within thirty days when public sewer is reasonably accessible.  
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1. Any person, firm or corporation desiring a permit must file an application with the Tama County Board of Health, stating the owner's name, current mailing address, number of bedrooms in structure serviced, type of water supply and other information as may be required by the local Board on the "Application for permit to construct, reconstruct, alter or repair a private sewage disposal system".  
2. Must have a permit prior to construct, reconstruct, alter, or repair a private sewage disposal system in the County of Tama, State of Iowa, shall also include the results of a soil percolation test certified by the Environmentalist. (This may also include a soil evaluation test with a soil probe and use of a Munsell soil book.) The percolation test must be performed in accordance with the procedures set out in Chapter 69 of the Iowa Administrative Code 567 and by the Tama County Board of Health. The Environmentalist must approve any deviation from the plans or specifications appearing on the application.  
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4. Fees:  
a) Septic tank and/or subsurface absorption field. \$ 100.00  
b) Impermeable vault tanks and holding tanks. \$ 100.00  
c) Re-inspection or such additional inspection. \$ 75.00  
2 years after system was installed.  
d) Sand Blank or other type of private sewage system. \$ 100.00  
e) Inspection at time of sale (if physical activity and equipment to be used. \$ 75.00

The permit must be maintained on the site before and during construction. The inspecting official upon final approval must sign this permit. Permits shall be valid for a maximum of twelve (12) months from the time of issuance, during which time the on-site wastewater treatment and disposal system shall be completed.

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5. 2 years after previous installation

6. Whenever the Environmentalist has reasonable grounds to believe that a violation exists, he/she may enter upon and make an inspection of such premises, dwelling or other building and gather other necessary information including water samples and trash into the system necessary testing materials for tracing the source of any apparent sewage discharge to the surface of the ground. The owner or occupant of such premises shall permit the Environmentalist to enter such premises to make such inspection and to obtain such samples. Such inspection shall be made between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday and at other times with the consent of the occupant, or in case of emergency. The provisions of this section shall apply to all premises, buildings, or dwellings, vacant or occupied. The Environmentalist may make, as many additional inspections of such premises as are deemed necessary. Every occupant of a dwelling or dwelling unit shall give the owner, tenant, or his/her agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such inspections as are necessary to effect compliance with the provisions of this regulation or with any lawful regulation adopted or any lawful order issued pursuant to the provision of this regulation.  
In the event the Environmentalist shall be refused entry for the purposes of making an inspection to carry out the provisions of this regulation, a complaint shall be made under oath to a magistrate of the County. Said magistrate may thereupon issue a warrant directing a Peace Officer to accompany a member of the Health Department to enter upon such premises and to make such inspection and to obtain such samples as may be required to carry out the provision of this regulation.

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6. Any on-site waste water treatment and disposal system which was installed under County permit or passed County inspection within two (2) years previous to sale or transfer, is exempt from further inspection until the next change of ownership.

SECTION G. SEVERABILITY  
Each section, paragraph, sentence, clause and provision of these rules and regulations is separate and if any provision is held unconstitutional or invalid for any reason, such decision shall not affect the remainder of these rules and regulations nor any part other than that part affected by the decision.  
SECTION H. VARIANCES  
Variances to these rules and regulations may be granted by the proper authority provided sufficient and proposed alternative information is afforded to substantiate the need and propriety for such action. Variances shall be requested in writing and addressed to the Tama County Board of Health and the Iowa Department of Natural Resources, if necessary.  
SECTION I. PENALTIES  
Chapter 137.21 of the Code of Iowa specifies: "Any person who violates any provision of the Chapter of the rules and regulations of a Local Board or any lawful order of said Board, officers or its authorized agent shall be guilty of a misdemeanor. Each additional day of neglect or failure to comply with such provision, rule, or lawful order, after notice of violation by the local Board, shall constitute a separate offense."  
SECTION J. APPEAL  
Any person, who feels aggrieved by any notice or order made by the Tama County Board of Health or its authorized agent, shall have the right to appeal to the Tama County Board of Health at the next regular meeting. The Tama County Board of Health by majority vote, may modify, withdraw or order compliance with said notice or order. Upon failure to reach an agreement, the Board of Supervisors will intervene.  
Published in The Toledo Chronicle, August 8, 2002.

Affidavit of Publication

STATE OF IOWA, ss.  
Tama County,

I, JODY STOVER, being first duly sworn, under oath, depose and say I am editor of the Traer Star-Clipper, a weekly newspaper of general circulation printed wholly in the English language and published at Traer, Tama County, Iowa; that the

On Site Wastewater

a copy of which is hereto attached and made a part of this Affidavit, was published in the English language for one consecutive weeks in said newspaper; that the first publication was in the issue published on the 8th day of August, 2002, and the last publication was on the day of     , and the statutory fees for publishing said notice are \$ 214.20.

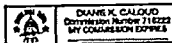
TRAER STAR-CLIPPER

*Jody Stover*

Subscribed and sworn  
in before me this 27th day of  
August, 2002.

*Diane K. Caloud*

Notary Public in and for Tama County, Iowa



1/22/05

**ON-SITE WASTEWATER TREATMENT AND DISPOSAL SYSTEMS**

Chapter 137, Code of Iowa as amended provides:

Section 4. Local Boards of Health shall have the following powers:

1. Enforce State health laws, the rules and lawful orders of the State Department.
2. Make and enforce such reasonable rules and regulations not inconsistent with law or with the rules of the State board as may be necessary for the protection and improvement of public health.

Under the authority granted and the requirements mentioned in Chapter 455.172 of the Code of Iowa, 2001 as amended by these rules and regulations, the Tama County Board of Health and shall become effective upon publication of said rules in the Tama News Herald, and the Traer Star-Clipper (effective August 2002).

These rules and regulations shall supersede all other rules and regulations set forth by the Tama County Board of Health relating to on-site treatment and disposal which have been effective to date.

**SECTION A. DEFINITIONS**

1. "Administrative Authority" - The Tama County Board of Health, as authorized by Chapter 137 of the Code of Iowa, or any individual designated to act in its name in implementing these regulations.

2. "Department" - The Iowa Department of Natural Resources.

3. "Local Board" - Tama County Board of Health.

4. "Habitat" - As defined in Chapter 87 of the Code of Iowa.

5. "On-site Wastewater Treatment and Disposal System" - All equipment and devices necessary for the proper collection, collection, storage and disposal of wastewater originating on or near a facility serving the equivalent of fifty or more persons or less.

6. All terms defined in Chapter 88.3 (1) of the Iowa Administrative Code 88.3 shall be defined in these regulations.

**SECTION B. GENERAL REQUIREMENTS**

1. It is prohibited for any household drainage and/or sewage, to be discharged to any ditch, stream, lake, pond, natural or artificial waterway, wetland, surface water drain tile, or to the surface of the ground. Such waste material shall be disposed of in such a sanitary manner as is prescribed in these regulations.

2. All on-site wastewater treatment and disposal systems located in the County, including the concrete foundation of incorporated cities and towns, shall be constructed and equipped in accordance with the specifications and requirements set forth by the Department in the Iowa Administrative Code 88.3.

The permit for installation of the on-site wastewater treatment and disposal system shall be obtained prior to the construction of, or add-on to, or modification of, or to the surface of the ground. No private sewage disposal system shall be installed when a public sewer is reasonably available.

3. In the event that a private sewage disposal system should fail, or otherwise be found to create a nuisance, a connection shall be made to a public sewer if available, and the system shall be made to conform to the rules and regulations. If subject system is not made to conform to the aforementioned requirements, the system shall be replaced.

4. In the event an on-site wastewater treatment and disposal system should fail, or otherwise be found to create a nuisance, and a sanitary connection, habitation of the existing structure shall be discontinued.

**SECTION C - PERMIT REQUIREMENTS**

1. An owner, tenant, or contractor shall file an application with the Tama County Board of Health, stating the owner's name, lot address, number of bedrooms in structure serviced, type of water supply and other information as may be required by the local Board on the day of application. The application shall include the following information:

- a) Septic tank and/or industrial absorption field... \$ 100.00
- b) Impervious vault toilets and holding tanks... 100.00
- c) Re-inspection or each additional inspection... 75.00
- d) 12 years after system was installed... 75.00
- e) Sand filters or other type of private sewage disposal system... \$ 100.00
- f) Inspection at time of sale (physical activity and equipment is to be used)... \$ 75.00

The permit must be maintained on the site before and during construction. The inspecting official upon final approval must sign this permit. Permits shall be valid for a maximum of twelve (12) months from the time of issuance, during which time the on-site wastewater treatment and disposal system shall be completed.

**SECTION D. INSPECTION**

1. Notification: The Environmentalist shall be notified orally by telephone, or in writing, not less than eight (8) working hours, between the 8 a.m. and 4:30 p.m., Monday through Friday, before the work is to be inspected and tested.

2. No part of any private sewage disposal system shall be used, covered or constructed so as to deny the mandatory inspection by the Tama County Board of Health. An on-site wastewater treatment and disposal system is considered ready for inspection when the house sewer, septic tank, distribution pipes are in place. The Environmentalist may use his/her discretion on procedure in the event of inclement weather.

3. Inspection of repaired, altered, reconstructed, or replacement systems: If an existing on-site wastewater treatment and disposal system is repaired, altered, reconstructed, or a new system is being installed to replace an existing system, the building to be serviced by this repaired, altered, reconstructed, or replacement system must be connected to the building sewer line before inspection is made.

4. When the on-site wastewater treatment and disposal system has been completed, a drawing must be submitted to the satisfaction of the Environmentalist, or its authorized agent, showing the exact depth of the septic tank, all distribution lines, the secondary treatment system, and the structure to be served by the system.

5. If the Environmentalist, or the authorized agent, deems re-inspection is necessary, the re-inspection fee must be paid prior to the time of final approval.

6. Whenever the Environmentalist has reasonable grounds to believe that a violation exists, he/she may enter upon and make an inspection of the premises, dwelling or other building and gather other necessary information including water samples and install into the system necessary testing equipment to enter such premises to make such inspection and to obtain such samples. Such inspection shall be made between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday and at other times with the consent of the occupant, in the case of emergency. The provisions of this section shall apply to all premises, buildings, or dwellings, vacant or occupied. The Environmentalist may make as many additional inspections of such premises as necessary. Every occupant of a dwelling or dwelling unit shall give the owner, his/her agent or employee, access to any part of such premises at all reasonable times for the purpose of making such inspections or alterations as are necessary to effect compliance with these regulations.

7. In the event the Environmentalist shall be refused entry for the purposes of making an inspection to carry out the provisions of this regulation, the Environmentalist shall be refused entry for the purposes of making an inspection to carry out the provisions of this regulation, the Health Department to enter upon such premises and to make such inspection and to obtain such samples as may be required to carry out the provisions of this regulation.

**SECTION E. WELLS**

If an on-site wastewater treatment and disposal system is to be constructed, reconstructed, altered, or repaired and a working well is located within a minimum distance as set out in the Iowa Administrative Code 88.3, Chapter 88.3, then the disposal system must be moved in accordance to A Code.

**SECTION F. PROPERTY TRANSFER INSPECTION**

1. All on-site wastewater treatment and disposal systems in Tama County shall be inspected and evaluated for compliance during any change of ownership of the land with the exception of spouses, children and family corporations. The property holder selling the property shall obtain the inspection from the Tama County Board of Health and present it to the buyer of the property prior to, or during the negotiation of the sale transaction.

2. A normal inspection will include a walk-around and visual inspection by the Environmentalist.

3. The failed septic tank inspection may include unearthing, emptying and inspection of the septic tank and inspection of the distribution to the structure to be served by the system.

4. If the original owner fails to have the property inspected as required, the buyer shall assume this responsibility along with any renovation cost.

5. The seller shall pay an inspection fee after receipt of the inspection report.

6. Any on-site waste water treatment and disposal system, which was installed under County permit, or passed County inspection within two (2) years of sale or transfer, is exempt from further inspection until the next change of ownership.

**SECTION G. VIOLATIONS**

Each section, paragraph, sentence, clause and provision of these rules and regulations is separate and if any provision is held unenforceable for any reason, such decision shall not affect the remainder of these rules and regulations nor any part other than that part affected by the decision.

**SECTION H. VARIANCES**

Variances to these rules and regulations may be granted by the proper authority provided sufficient and proposed alternative information is submitted to the need and propriety for such action. Variances shall be requested in writing and addressed to the Tama County Board of Health Department of Natural Resources, if necessary.

**SECTION I. PENALTIES**

Chapter 137.21 of the Code of Iowa specifies: "Any person who violates any provision of this Chapter of the rules and regulations of a Local Board of Health, or its authorized agent, shall be guilty of a misdemeanor. Each additional day of neglect or failure to comply with any rule, order, or lawful order, after notice of violation by the local Board, shall constitute a separate offense."

**SECTION J. APPEAL**

Any person who feels aggrieved by a notice or order made by the Tama County Board of Health or its authorized agent, shall have the right to appeal such notice or order. Upon failure to reach an agreement, the Board of Supervisors will intervene.