

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE

Ordinance

DEFINITIONS

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

Bedroom - means any room in a residence that could be used for sleeping and contains an area of seventy (70) square feet or more of floor space, an operable window or exterior door for emergency egress and, for new construction, a closet.

Building Lots - means and includes all areas legally approved for the location of residential, business, recreational or other buildings.

Combination Sewer - means a sewer which receives both sewage and surface water run off.

Commercial Facility - means any building or place not used exclusively as a residential one or two family unit or outbuildings associated with a one or two family residential unit.

Distribution Box - means a structure designed to equally distribute septic tank effluent to the soil absorption system.

Effluent - means sewage that has received treatment from a septic tank or other means approved by the department before treatment in the soil.

Fill - materials not indigenous to the soil horizon and not deposited by natural means.

Health Department - shall mean the White County Health Department.

Health Nuisance - means any condition, which may be detrimental to the public health, may spread or promote disease, provide food, harborage or breeding medium for insects or rodents, or be a potential contaminate for surface or groundwater.

Health Officer - means the health officer of a local health department as referred to an IC 16-20 or their duly authorized representative.

Holding Tank - means a self-contained, leak-proof, watertight reservoir used for the purpose of collecting and temporary storage of sewage prior to proper disposal of the sewage at an approval disposal facility (i.e. municipal sewage treatment plant) by a licensed IDEM septic tank cleaner. The holding tank shall be constructed to meet the ISDH standards for onsite sewage disposal system septic tanks and shall have all outlets adequately sealed and protected so as to prevent leakage or access by rodents or insects.

IDEM - means the Indiana Department of Environmental Management

ISDH - means the Indiana State Department of Health Department

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 2)

Ordinance

Limiting Layer - means any subsurface horizon which has a loading rate determined from the soil loading rate tables utilized by the ISDH, of less than 0.25 gallons per square foot per day or more than 1.25 gallons per square foot per day. Limiting layers include bedrock, fragipans, and water tables.

Loading Rate - means the allowable rate of application of septic tank effluent to the soil. The loading rate is to be expressed in gallons per day per square foot.

Maintenance Agreement - means a signed and notarized legally binding agreement for maintenance between the property owners or the agents of the property owners and a licensed ISDH septic cleaner, granting and conveying to the cleaner by the owners or agent of the owners an easement in gross to come upon the land for the purpose of inspecting, repairing or cleaning the sewage holding tank connected to the onsite sewage disposal system and/or serving the property.

Onsite Sewage Disposal System or Onsite System - means all equipment and devices necessary for onsite collection, storage and treatment of sewage and absorption in the soil from a residence or commercial facility.

Failure or Onsite Sewage Disposal System Failure - means an onsite sewage disposal system that exhibits one (1) or more of the following:

1. Soil absorption field refuses to accept sewage at the rate of application thereby interfering with the normal use of plumbing fixtures or resulting in the discharge of effluent to the ground surface or surface waters.
2. Failure of or damage to any component of the onsite systems thereby interfering with the normal use of plumbing fixtures or resulting in the discharge of effluent to the ground surface or surface waters.
3. Effluent discharged from the onsite system causing a contamination of a potable water supply, ground water or surface water.

Owner - means the person whose name appears as the titleholder in the White County Real Estate Records to the property being referenced.

Perimeter Drain - means a trench constructed for the purpose of intercepting and diverting near surface and surface water away from the private sewage disposal system.

Permit - means a written document issued by the health department authorizing a person to install, construct, maintain, operate or repair an onsite sewage disposal system as per an approved plan, design and specification complying with the provisions of this chapter, the incorporated materials and amendments thereto.

Person - means any individual, partnership, corporation, firm, society, holding company, trust, trustee, school, school district, association, company, estate, or any other legal entity its or their successors or assigns of agents of the aforesaid.

Private Onsite Sewage Disposal System - means any sewage disposal system not constructed, installed, maintained, operated and owned by a municipality, a taxing district or a corporation possessing a certificate of territorial authority issued by the Indiana Regulatory Commission or its predecessor Indiana Public Service Commission, or IDEM permitted systems, and established for that purpose.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 3)

Ordinance

Public Sewer - means any conduit for sewage constructed, installed, maintained, operated, owned, or defined as such by a municipality, a taxing district or a corporation possessing a certificate of territorial authority issued by the Indiana Regulatory Commission or its predecessor Indiana Public Service Commission and established for that purpose. A system of conduits installed for the purpose of carrying surface water run off and subsurface water drainage shall not be considered a public sewer unless the public sewer in question had been defined as a combination sewer by ISDH.

Repair Permit - means a permit issued by the health department for the purpose of adding to, altering, repairing or installing a private sewage disposal system on a property on which there is an existing structure from which sewage may be discharged.

Residence - means a single structure used or intended to be used for permanent or seasonal human habitation for sleeping one (1) or two (2) families.

Sanitary Privy - means a fly-tight rodent proof sewage disposal system for the purpose of disposal of body waste as presented in the ISDH Bulletin SE 11 and amendments thereto.

Sanitary Sewer - means a sewer that carries sewage and to which storm, surface and ground waters are not intentionally admitted.

Secondary Treatment Unit - means any biological, chemical or physical process or system for improving sewage effluent after primary treatment and prior to discharge to a soil absorption field.

Sewage - means the water carried waste derived from ordinary living processes including but not limited to human excreta and waste water derived from water closets, urinals, laundries, sinks, utensil washing machines, bathing facilities, or similar facilities or appliances.

Sewer - means a pipe or conduit for conveying sewage.

Site Evaluation and Soil Profile Analysis - means a report documenting the physical characteristics of the local topography, soil profile, depth to bedrock (where discernable), limiting layers, groundwater levels, and any other local features which might affect the suitability of the site for the installation and operation of an onsite sewage disposal system. This report shall be prepared by a soil scientist as defined herein.

SCS - means the United States of America Department of Agricultural Soil Conservation Service.

State of Construction - means, but is not limited to, site improvements related to a residence or commercial facility and includes excavation or an existing grade for a foundation or footings or delivery of manufactured housing.

Soil - means natural, non-filled mineral or organic matter on the surface of the earth that shows the effects of genetic and environmental factors. These effects include structure, color, mottling, horizons, and limiting layers.

Soil Absorption Field - means the portion of the onsite sewage disposal system that discharges effluent for absorption into the soil field.

Soil Scientist - means an individual who is registered as a professional soil scientist with the Indiana Registry of Soil Scientist (IRSS) as provided for under IC 25-31.5.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 4)

Ordinance

CONNECTION WITH SEWERS - NEW CONSTRUCTION

A. Any business, dwelling, recreational building or other structure on property which abuts on any alley, easement, right of way or street in which there is located a public combination or sanitary sewer and from which sewage may originate must connect to the public sewer if the sewer is accessible within three hundred (300) feet of the business, dwelling, recreational building or other structure.

REQUIREMENT FOR A PRIVATE ONSITE SEWAGE DISPOSAL SYSTEM

A. All one and two family dwellings, and any related structures from which sewage may originate not served by public sewer shall be served by a onsite sewage disposal system that is constructed, installed, maintained, and operated in compliance with the standards set forth in ISDH Rule 410 IAC 6-8.1 and any applicable sections of this code.

B. Any business, recreational building or other structure that is not intended as a one or two family dwelling from which sewage may originate and that is situated within White County and no public sewer system is available for use or extension there shall be established, installed, constructed, maintained, operated and if necessary repaired a onsite sewage disposal system that shall comply with the standards of the ISDH as contained in Bulletin SE11 or other such manner as approved by ISDH.

C. Any business, dwelling, recreational building or other structure on property which abuts on any alley, easement, right of way or street in which there is located a public sewer and from which sewage may originate, may utilize an existing sewage disposal system that is not connected to the public sewer when the sewage disposal system has not been found by the health department to be a health nuisance, it shall be properly abandoned within ninety (90) days of the receipt of written notice to do so from the health officer and a connect to the public sewer, approved and inspected by the White County Health Department, shall be made.

PERMITS FOR ADDITION, ALTERATION, INSTALLATION OR REPAIR

A. The owner or agent of the owner shall obtain a written permit, signed by the health officer, for construction of an onsite sewage disposal system prior to:

1. Start of construction of a residence or placement of a mobile home, which will not be connected to the public sewer.
2. Any replacement, reconstruction of, expansion or remodeling of a residence, which may increase the number of bedrooms.
3. Any addition to, alteration of, repair of an existing onsite sewage disposal system or any component thereof.
4. Start of construction of a commercial facility to which no public sewer is available for use or extension and from which sewage may originate.

B. The application for such permit shall be made on a form provided by the health department and shall be supplemented by any plans, specifications and other information as is deemed necessary by the health department.

C. A permit and inspection fee in the amount specified in the fee schedule section of this chapter shall be paid to the department at the time the application is filed.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 5)

Ordinance

D. A permit issued for an onsite sewage disposal system shall not become effective until the installation is completed in compliance with the standards set forth in this chapter and its incorporated references in the approved design of the system. All such installations shall be made in accordance with plans and specifications approved by the health department for that particular installation.

E. The permit issued for an onsite sewage disposal system shall be posted in a conspicuous place at or near the building where the onsite sewage disposal system is under construction.

F. Permits are not transferable and shall expire one (1) year from the date of issuance as noted on the permit. Should the permit expire before the start of construction on the onsite sewage disposal system the owner will be required to apply for a new permit.

SITE EVALUATION AND SOIL PROFILE ANALYSIS

A. No permit shall be issued for the installation of a new onsite sewage disposal system or the alteration, addition to, or replacement of an existing onsite sewage disposal system unless a site evaluation and soil profile analysis has been completed for the intended onsite system location and filed with the health department. Soil evaluations will not be required to repair system components.

B. Soil evaluations shall be conducted, at the discretion of the department, by soil scientist or by the department.

C. Soil evaluations shall be conducted in compliance with 410IAC 6-8.1.

D. All subdivisions not served by a public sewer shall have a site evaluation and soil profile analysis completed for each individual building lot prior to the health department endorsing the project for recording.

E. When the applicant for a private sewage disposal permit decides to engage the services of the health department for the purpose of performing the site evaluation and soil profile analysis on the property for which the permit is being applied, the health department shall attempt to complete the analysis within ten (10) working days when the project contains less than ten (10) individual lots. Time calculations begin when the prerequisites for performing the analysis imposed by the health department have been fulfilled by the responsible party (e.g. surveying, staking of the property, etc.)

INSTALLER CERTIFICATION

A. Except as provided in Subsection G herein, no person shall construct, install, replace or repair an onsite sewage disposal system or any component thereof in White County unless that person has been certified as an installer and possess a valid installer certification certificate issued by the Indiana Onsite Wastewater Professionals Association (IOWPA).

B. In order to become certified a person must:

1. File an application for Certification with the IOWPA.
2. Present a certified of liability insurance issued by a company registered in Indiana showing coverage for the entire term of the certificate. The liability policy shall be sufficient to indemnify persons for whom faulty work may be performed on a minimum of One hundred thousand dollars (\$100,000.00).
3. Demonstrate knowledge of the applicable laws, rules, regulations and codes governing onsite sewage disposal systems by passing a proficiency examination conducted by the IOWPA.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 6)

Ordinance

4. Provide IOWPA with proof of attendance for at least one training, workshop, or other educational activities concerning onsite sewage disposal systems annually.
- C. Certificates issued hereunder shall be valid for a term of one year beginning January 1st and expiring December 31st of the same year. The certification shall bear name and address of the certified installer and the certificate's expiration date. Certificates shall not be transferable.
- D. Certificates shall be renewed annually. If a certificate is not renewed within one (1) month of the expiration date the installer must reapply for certification and pass the proficiency examination to become recertified.
- E. The installer shall maintain in their possession a copy of the certification at all times when constructing, installing, replacing or repairing an onsite sewage disposal system or any component thereof in White County.
- F. A certified installer shall be onsite at all times during construction, installation, replacement or repair of an onsite sewage disposal system or any component thereof in White County.
- G. Property owners are subject to the following:
1. Property owners may only construct, install, replace or repair an onsite sewage disposal system or any component thereof, which serves their own residence.
 2. Property owners will be required to pass the proficiency examination prior to receiving a permit.
 3. Property owners will not be required to become certified or show proof of insurance.
 4. Property owners are subject to this code and all codes incorporated by this code except as noted in holding tank regulations.
- H. At the discretion of the health department a certification may be revoked for flagrant or repeated code violations.

CONSTRUCTION, INSTALLATION, MAINTENANCE, OPERATION AND REPAIR

- A. Onsite sewage disposal systems shall be constructed, designed, installed, maintained and repaired to ISDH standards set forth in ISDH Rule 410 IAC 6-8.1, this Ordinance and the incorporated materials.
- B. No portion of an onsite sewage disposal system shall be constructed on property other than the property from which the sewage originates unless easements, which grant permission for such construction and access for sewage disposal system maintenance, have been obtained, approved and recorded for that property by the proper authority of commission.
- C. All materials and components used in the construction of onsite sewage disposal systems in the county or any area under the jurisdiction of the health officer shall be of a type approved by the ISDH or have written approval of the ISDH and the health department. This includes distributions boxes, gravel; sewage pumps, septic tanks, sewers and all other parts of a sewage disposal system.
- D. No onsite sewage disposal system may be installed at a time when soil moisture content is great enough so that the normal construction practices may cause smearing or polishing of the sides of the trenches in the absorption field portion of a sewage disposal system. Installation during such times shall be grounds for the rejection of the sewage disposal system by the Health Department.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 7)

Ordinance

- E. Any onsite sewage disposal system, which is designed to serve a residence and utilizes three or more one-half or full bathrooms or any other devices, which may consume an exaggerated amount of water, utilized separately or in combination, shall be required to be served by an expanded absorption field. The required addition shall be that amount of square footage of absorption area for one bedroom as determined by the ISDH Rule 410 IAC 6-8.1.
- F. The installation of any onsite sewage disposal system not described in ISDH Rule 410 IAC 6-8.1, Bulletin SE11, and Bulletin SE13 or in regulations of the health department may be approved by the health department if those plans have prior approval from the Sanitary Engineering Division of the ISDH. These systems shall be designated as experimental and should such an experimental system cause or create a health hazard or nuisance as determined by the health department, that system shall be replaced with a standard subsurface absorption field or other site suitable system within ninety (90) days after the receipt of the official written notice from the health officer.
- G. The Health Department may require the system be designed by a professional engineer licensed in Indiana.
- H. Any privy located within the county shall be of the sanitary type and shall be constructed, installed, maintained, and repaired to specifications set forth in ISDH bulletin SE11. All privies shall be constructed, installed maintained, operated and when necessary, repaired so as to prevent contamination of surface and groundwater, exclude rodents and insects, preclude and health nuisances and be located so as to not interfere with or detract from the rights of adjoining or potentially aggrieved property owners.
- I. Holding tanks may, at the discretion of the Health Department, be required where there is existing sewage generating business, dwelling, recreational building or other structure and there are no means for onsite sewage disposal, connection to the public sewer or adequate repairs to eliminate a health nuisance.
- J. Whenever additions, alterations, or repairs must be made to an existing system in order to comply with the court orders, laws, ordinances or regulations the health officer may waive any of the requirements of this chapter and ISDH regulations, if by doing so a potential health hazard may be eliminated and so long as prior approval for that variance on ISDH regulations has been obtained by the health department from the ISDH.
- K. Perimeter drains shall be located so as to adequately protect the septic tank absorption field from surface water and near surface ground water and shall extend to a sufficient depth to lower the seasonal water table below the center of the septic tank absorption field system.
- L. At the discretion of the health department a secondary treatment unit may be required.
- M. Onsite sewage disposal systems shall be installed in fill.
- N. Onsite sewage disposal systems shall not be installed below the 100-year flood elevation.
- O. Septic tanks installed after the date of this code shall be fitted with effluent filters capable of screening out suspend particles of 1/16" or greater and sized to accommodate the daily design flow.

INSPECTIONS

- A. The health officer shall be allowed to inspect the system at any stage of construction.
- B. The owner or agent of the owner shall provide the department with any requested information or documentation regarding the installation.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 8)

Ordinance

- C. The applicant for the permit shall notify the health department when the onsite system is ready for partial or final inspection.
- D. The inspection and determination shall be made within two working days of the receipt of notification that the onsite system is ready for final inspection.
- E. The inspection shall be completed before any portion of the system has been covered with soil except when there are extenuating circumstances as determined by the health department. The authorized representative of the health department allowing for the covering of the system prior to a completed inspection shall set forth the extenuating circumstances in writing, and report shall be kept on file at the health department.
- F. In the event that an onsite sewage disposal system is covered with soil before it can be properly inspected and approved by the health department, the health department may require that the onsite sewage disposal system be unearthed for inspection before a final approval of the system is given by the Health Department.
- G. In the event an installation or repair cannot be approved by the Health Department due to violations of this Ordinance or the incorporated Ordinances, the health officer shall issue a red tag notice. This notice shall state the reason(s) the installation or repair cannot be approved. This notice shall be given to the applicant, the installer and to the White County Building Commissioner, either in person or by other suitable means.
- H. If the violation which is resulted in the red tag notice being issued are corrected, written notification will be delivered to the applicant, the installer and to the White County Building Commissioner, either in person or by other suitable means.

HOLDING TANK REGULATIONS

- A. The minimum size of any holding tank approved for installation in the county shall be two thousand (2000) gallons.
- B. The maximum distance from the primary access road to the holding tank shall not exceed one hundred (100) feet.
- C. All holding tanks shall be located in accordance with the requirements for septic tanks, dosing tanks, and lift stations in Table II of ISDH Rule 410 6-8.1 and shall be located so as to be conveniently accessible for the removal of the sewage by the party with whom the maintenance agreement is reached.
- D. No property in the county shall be served by a holding tank unless the owner or the agent of the owner is currently legally bound to a maintenance agreement.
- E. The Health Department shall be provided with proof of payment to the party into which the maintenance agreement for the removal of sewage from the holding tank is reached within five working days of a written request from the health department. Proof shall be in the form of a signed and dated receipt of a canceled check dated appropriately.
- F. Every company, corporation, or person who removes, and/or hauls the sewage from a holding tank or septic tank located in this county or under the jurisdiction of the health department must be licensed by the state (ISDH) and must register with the health department. The registrant must notify the health department of every maintenance agreement, which expires or is canceled, suspended or terminated. The notification must be in writing, include the address of the property for which the agreement was in effect at the time of cancellation and be delivered to the health department within fourteen (14) days from the date of cancellation, suspension or termination.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 9)

Ordinance

G. Audio and visual alarms designed to monitor the liquid level within the holding tank must be installed and maintained in working condition on all holding tanks permitted by the health department.

H. Holding tank construction thickness specifications shall conform to the minimum thickness standards for private sewage disposal tanks as required in ISDH Regulation 410 IAC 6-8.1.

I. No permit shall be issued for the installation of a holding tank in the county until a site evaluation and soil profile analysis has been conducted by the health department, except where the slope of the site precludes the installation of any other ISDH or health department approved onsite sewage disposal system.

J. Permits for the installation of holding tanks and privies shall be issued only after it has been shown by any analysis, testing, and measurement that the health department may require that the property for which the permit is being applied cannot be served by some form of onsite sewage disposal system that can be approved by the ISDH and the health department or cannot access a public sewer. A signed and notarized maintenance agreement shall be filed with the health department prior to the permitting of installation of a holding tank.

EXISTING ONSITE SEWAGE DISPOSAL SYSTEM INSPECTIONS

A. An existing onsite sewage disposal system inspection shall consist of a records review, a visual inspection of the onsite sewage disposal system location and a dye test.

B. Requests for existing onsite sewage disposal system inspections shall be made on an application provided by the department and signed by the owner of the property or the agent of the owner.

C. The dwelling must have been supplied with running water used as a primary place of residence for at least four (4) weeks prior to a dye test.

D. Dye tests will only be scheduled for periods which allow a department representative to inspect the location for five (5) consecutive days as part of the normal work week.

E. The department will not endorse any subdivision or parcelization that contains an existing dwelling(s) without dye testing that dwelling.

F. Anyone who attempts to alter the results or an existing onsite sewage disposal system test shall be subject to the penalties outlined in section violation penalty.

PROHIBITED ACTS

A. It is a violation of this Ordinance for any person to deposit, place, or permit any human excrement or sewage to be deposited in an unsanitary manner upon public or private property in the country or in any area under the jurisdiction of the county or the health officer.

B. It is a violation of this Ordinance to add to, alter, install, repair or replace any noncommercial, nonmunicipal private sewage disposal system in the county or any area under the jurisdiction of the county or the health officer without first obtaining a permit from the health department, unless a permit has been issued for that procedure by the ISDH.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 10)

Ordinance

C. It is a violation of this Ordinance to construct, install, replace or repair an onsite sewage disposal system or any component thereof in White County unless that person has been certified as an installer and possesses a valid installer certification certificate issued by the Health Department. Except as noted in section (Installer Certification G).

DEFECTS

A. Should any defects exist or occur in any private sewage disposal system or privy in the county or any area under the jurisdiction which would cause said sewage disposal system or privy to fail and/or cause a health nuisance or unsanitary condition, the defect shall be corrected by the owner, or agent of the owner, or occupant, or agent of the occupant within the time limit set by the health officer in a written order stating the nature of the violation and establishing a time limit for the corrective action to be completed.

B. The health officer shall be permitted to enter upon all properties under the jurisdiction of the health officer at the proper time for the purpose of inspection, measurement, observation, and testing necessary to assure compliance with this code or incorporated materials.

VIOLATION AND ENFORCEMENT PROCEDURES

A. The health officer shall be permitted to enter upon all properties at the proper time for purposes of inspection, observation, measurement, sampling, and testing necessary to assure compliance with this Ordinance.

B. Any person found to be violating any provision of this Ordinance may be served by the health officer with a written order stating the nature of the violation and the time limit for completion of the corrective actions necessary to eliminate the violation.

C. After receiving the written order outlined in subsection B of this Ordinance from the health officer, the owner, the agent of the owner, occupant or agent of the occupant of the property upon which the violation has originated shall comply with the provisions of this Ordinance and the incorporated materials within the time limit set forth in the order.

D. Upon failure of the responsible person as notified in subsection B of this Ordinance to comply with the provisions of the order issued by the health officer, the health officer may issue a citation for the violation to the responsible party using the uniform traffic ticket or similar citation form which shall be issued to them.

E. At the discretion of the health officer a violation of this Ordinance may be referred to the county attorney's for legal action without the issuance of a citation.

FEE SCHEDULE

A. Permits

- | | |
|------------------------------------|----------|
| 1. New systems | \$50.00 |
| 2. Repair systems | \$50.00 |
| 3. Commercial Systems | \$100.00 |
| 4. Dye test: noncompliant dye test | \$ 70.00 |

VIOLATION-PENALTY

A. Any person who violates the provisions of the chapter shall be subject to a civil fine of not less than Ten dollars (\$10.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each violation under the rules and regulation of the White County Board of Health.

WHITE COUNTY ORDINANCE

Ordinance number

05-10-03-01

Date

10/3/2005

Topic

WHITE COUNTY SEPTIC ONSITE SEWAGE DISPOSAL ORDINANCE (PAGE 11)

Ordinance

- B. Each day a violation exists shall be considered a separate violation and a civil penalty may be assessed for each day the violation exists.
- C. In addition to the civil penalties provided for herein, the health department may pursue any and all other actions and remedies provided by law.

INCORPORATION BY REFERENCE

- A. The following are incorporated by reference into this Ordinance
- a. 410 IAC 6-8.1
 - b. Bulletin SE 11
 - c. Bulletin SE 13
- B. Any additional Codes, Laws, Ordinances or Rules promulgated by superior agencies are also included by reference into this Ordinance.
- C. Any citation of incorporated materials shall be read as if "and amendments thereto" are included in the citation.

SEVERABILITY CLAUSE

- A. Should any word, sentence or section of this Ordinance be declared invalid the remainder shall remain enforceable.

PASSED AND ORDAINED on this 3rd, day of October, 2005.

BOARD OF COMMISSIONERS
WHITE COUNTY, INDIANA

JOHN C. HEIMLICH, /s/
STEVE BURTON, /s/
OD BUD FERGUSON, /s/

ATTEST: MARY JO POOL, /s/
WHITE COUNTY AUDITOR