

Scott County Subsurface Sewage Treatment System Ordinance No. 4

7.03 COMPLIANCE INSPECTIONS REQUIRED. A compliance inspection is required:

- A. When an inspection is done for any new or replacement SSTS;
- B. If a permit or variance is applied for to alter an existing SSTS;
- C. Any other time an SSTS is reviewed to determine if the SSTS is in compliance;
- D. When a permit is applied for a bedroom, to build a horizontal addition onto an existing structure, or to build an accessory structure on a lot having an ISTS;
- E. Any time the Scott County Zoning Ordinance No. 3 requires an inspection of an SSTS;
- F. Where a permit or an amendment to an existing permit is required for a change in use of a property (i.e. residential to commercial, commercial to industrial, etc., or the addition of a business, or a change of a business type or use) including additional parking or outside storage area; or
- G. When any parcel of land is developed, subdivided, rezoned or split and there is an existing SSTS on any of the parcels.

H. Exemptions: The compliance inspection requirement may be waived when Department records indicate that the existing SSTS is not a cesspool, drywell, seepage pit, leaching pit, or other pit in an area highly susceptible to ground water contamination, is not an imminent threat to public health; and

1. There are acceptable design, construction, maintenance and location records of the SSTS; or
2. There are limited options to locate a replacement SSTS and the permit activity will not result in an increase in water usage.

Prior to approving the permit, the Inspector may require the identification of an alternate site and that the tank(s) be pumped if records show that it has been more than six years since the tank(s) was last pumped. The action proposed in the building permit application shall not encroach upon the alternate site or the existing SSTS.

7.03 COMPLIANCE INSPECTIONS REQUIRED. A compliance inspection is required

.....to build a horizontal addition onto an existing structure, or to build an accessory structure on a lot having an ISTS; **WHY?**

History: MnDNR required counties to establish a method and timeframe for identifying and replacing failing sewage systems in shorelands. Scott County adopted resolution 92029 and incorporated this into the Zoning Ordinance in section 70-9-3. MPCA established the concept of compliance inspections for existing systems in their 1996 Rule amendments. These rules were adopted by Scott County in 1997, which is where this provision was first introduced in Scott County's SSTS ordinance to conform with the Zoning Ordinance and state requirements. The County Board opted to apply this provision across the county and not just in shorelands because of their concern for protecting ground and surface waters and for reasons of equity.

How do Staff decide which building permit applications require a compliance inspection?

Customer Service



Staff examine the subject property and records on file with the individual requesting a permit or inquiring about the process.

What Factors are considered?

Age of System:

75% of the septic systems have been installed/replaced since 1978, when the first State SSTS regulations WPC40 became effective. The criteria being considered for compliance became effective with that law.

The first County ordinance adopting State Rules was adopted in 1981, but staff began enforcing WPC40 when it went into affect.

Quality of Information:

All building/septic system permit files have been scanned and are readily accessible to staff.

The newer the system the better the information and the more reliable the soil testing.

Current GIS mapping tools provide an excellent way to consider soil factors.

Example 1: Historical File.

Approved: Denied: By Zoning Administrator subject to existing regulations and the following conditions: Soils to be verified onsite. Caution with line going under rear driveway that will need to be insulated.

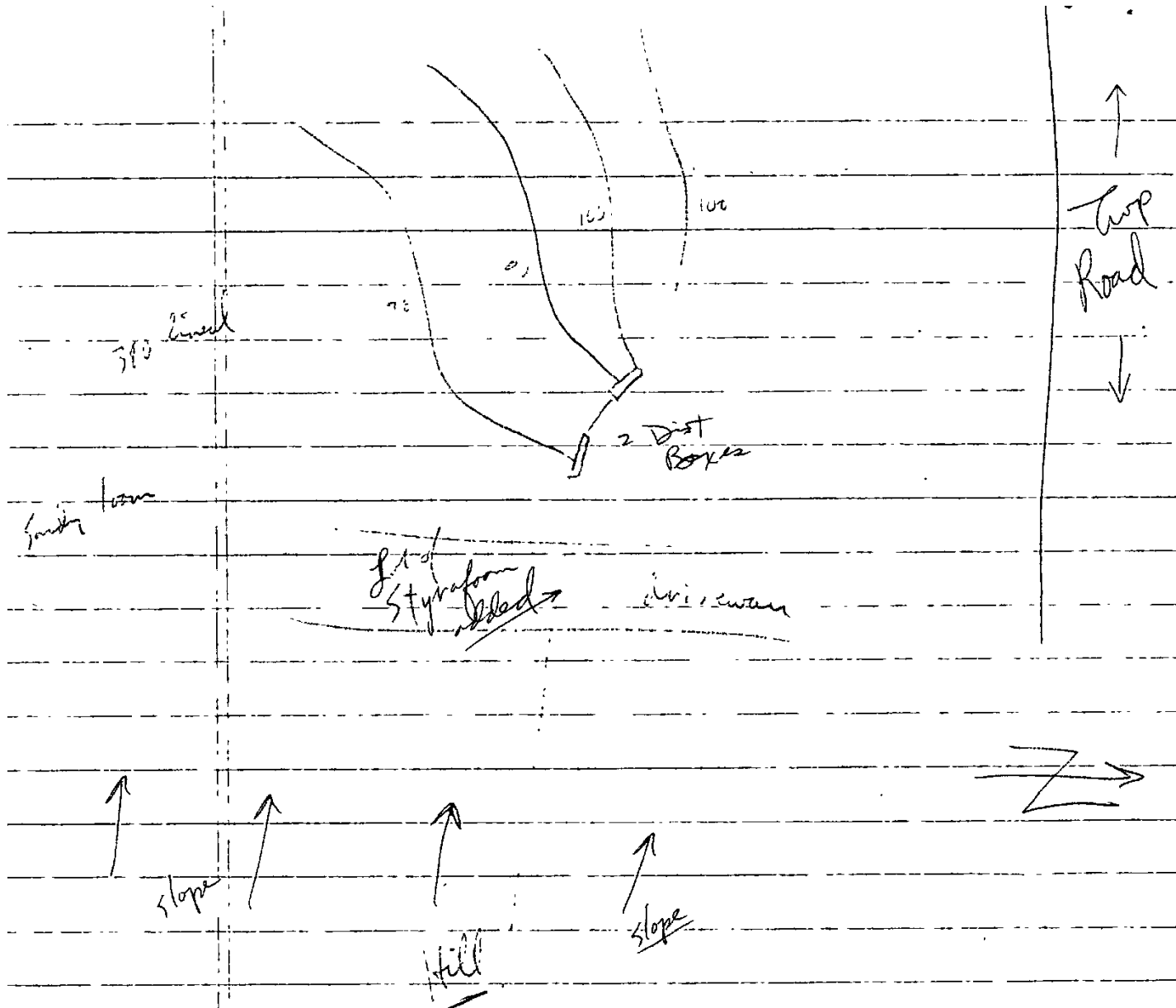
SIGNATURE: Michael T. Rutten DATE: 2-24-80

INSPECTION CHECKLIST	DATE	1st Insp.	2nd Insp.
1. Setbacks:	<u>4-21-81</u> A.M. A.S.A.P.		
a) From house or occupied building - 15' minimum		<input checked="" type="checkbox"/>	
b) From well with septic tank and drainfield - 50' minimum		<input checked="" type="checkbox"/>	
c) Lot lines - 10' minimum		<input checked="" type="checkbox"/>	
2. Septic Tanks: <u>Existing septic tank closer to house - block style</u>			
a) Liquid capacity	<u>750 +</u>		
b) Water tight	<u>rather block style tank installed</u>	<input checked="" type="checkbox"/>	<u>sealed w cement</u>
c) Inlet and outlet baffles	<u>fiberglass</u>		
d) Inspection compartments	<u>cover not installed yet</u>		
3. Distribution Box or Drop Box:			
a) General construction	<u>Pre-Cast</u>	<input checked="" type="checkbox"/>	
b) Sufficient size		<input checked="" type="checkbox"/>	
c) Removable cover		<input checked="" type="checkbox"/>	
4. Disposal Trenches:			
a) Minimum number of 2 lines	<u>4</u>		
b) Maximum length of 100 feet / line	<u>100, 100, 90, 90</u>		
c) Minimum bottom trench width of 18 inches	<u>2'</u>		
d) Maximum uniform grade of tile lines 6 inches / 100 feet	<u>OK</u>		
e) Size and spacing of trenches	<u>refer to sketch</u>		
f) Minimum filter material under tile of 12 inches	<input checked="" type="checkbox"/>		
g) Minimum filter material over tile of 6 inches	<input checked="" type="checkbox"/>		
h) Minimum depth of cover over tile lines of 18 inches	<u>shallow</u>		
i) Minimum amount of absorption area	<u>760</u>		

INSPECTOR'S COMMENTS: sandy loam soil throughout the trench area. Styrofoam added under the driveway as noted. Additional septic tank added.

Michael R
Inspector's Signature

Example 1 Historical File



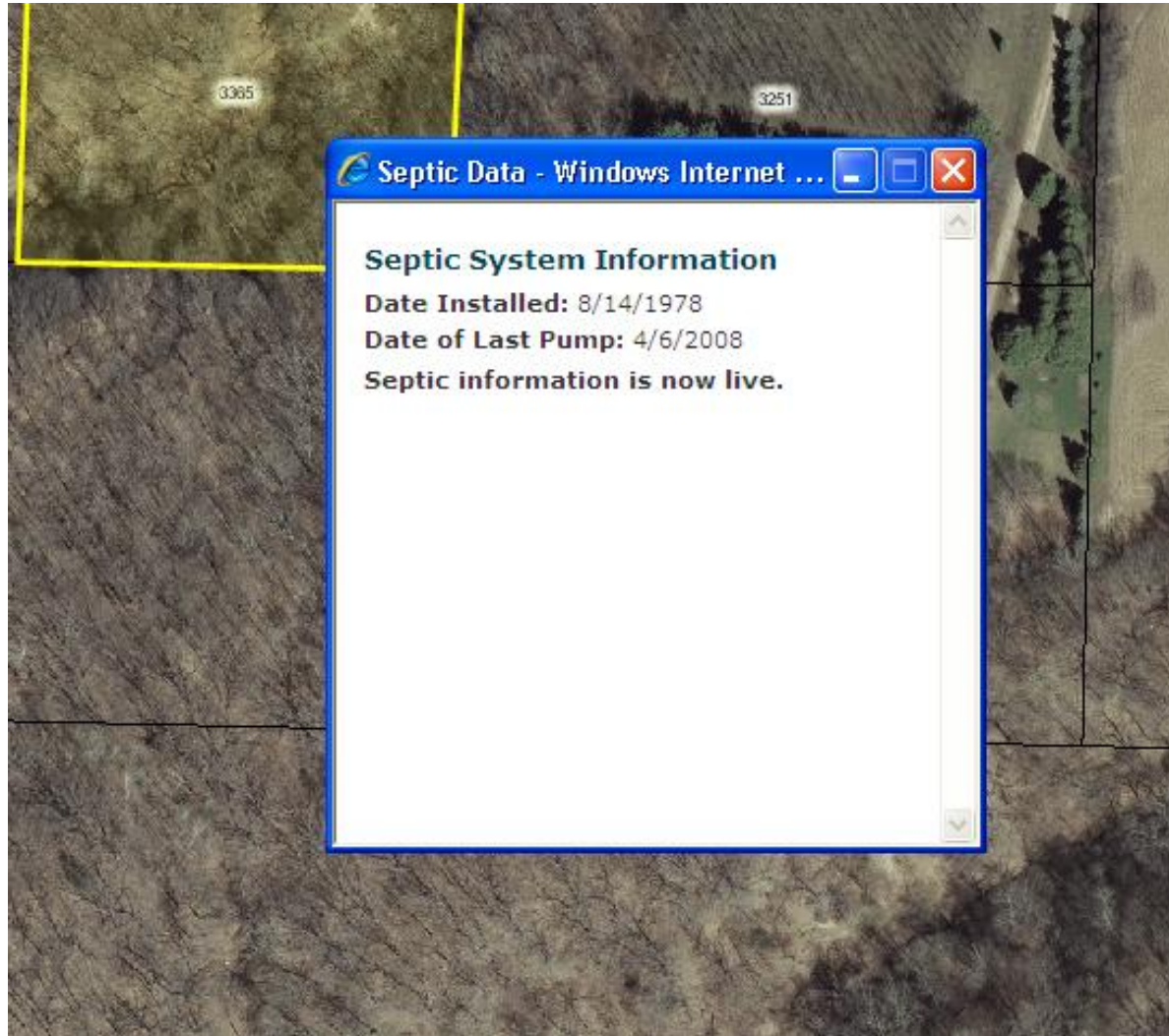
Example: our GIS Information



Aerial imagery is now so good that we can even check the condition of the area while talking to a customer.



Septic tank pumping information since 1982.



The example system was installed in 1981, with sufficient information to waive the requirement for a compliance inspection.

What is the extent of our information?

Scott County has been collecting data on septic system installation since 1978, with progressively better information each year for systems installed in the townships, Jordan, Belle Plaine, New Prague, Elko New Market.

Information on septic systems installed in Savage, Shakopee and Prior Lake prior to their deferment to Scott County is less detailed.

State Guidelines/Rules

- The MPCA requires counties to specify in their ordinances criteria for identifying and replacing failing systems.
- The MPCA considers the life of a septic system to be approximately 30 years.
- Scott County's approach uses common sense, generally requiring compliance inspections only for systems that we have insufficient information (usually, older than 30 years).

Misconceptions & Facts

Misconception:

Everyone who applies for a building permit will be required to have a compliance inspection.

Fact:

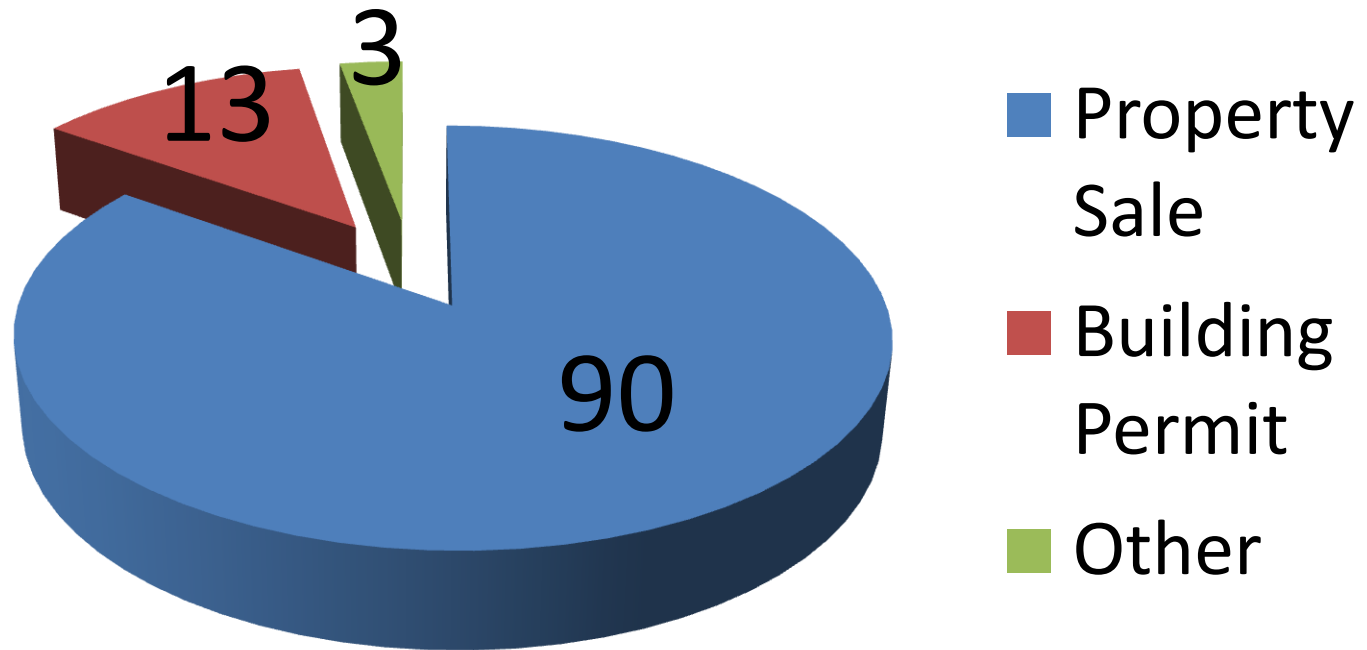
In 2010, Environmental Health staff reviewed over 400 building permit applications to determine if a compliance inspection of their septic system was warranted. Of those, only 13 were required to have their system inspected.

Compliance inspections are also done when:

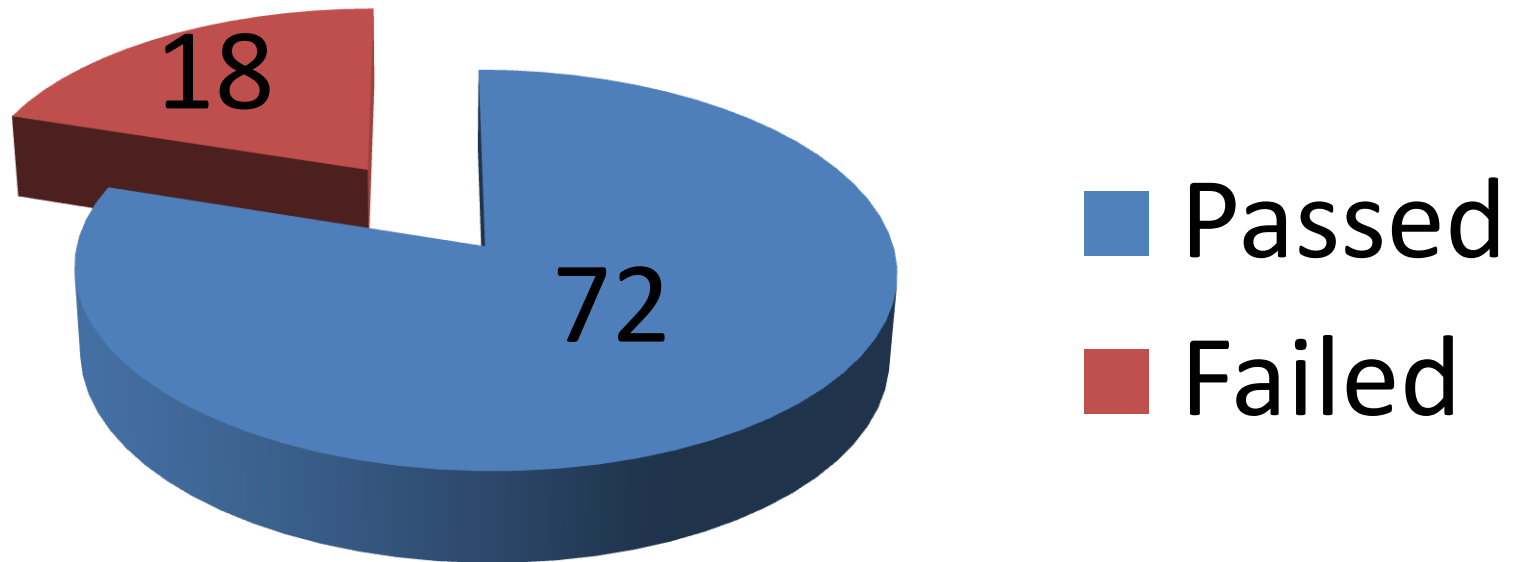
Required for property transactions by a mortgage company or realtor. In fact, of the 106 compliance inspections conducted in 2010, **90** were conducted in response to property transactions and not required by Scott County.

Other reasons include bedroom addition (required by Statute), lot splits, change of use.

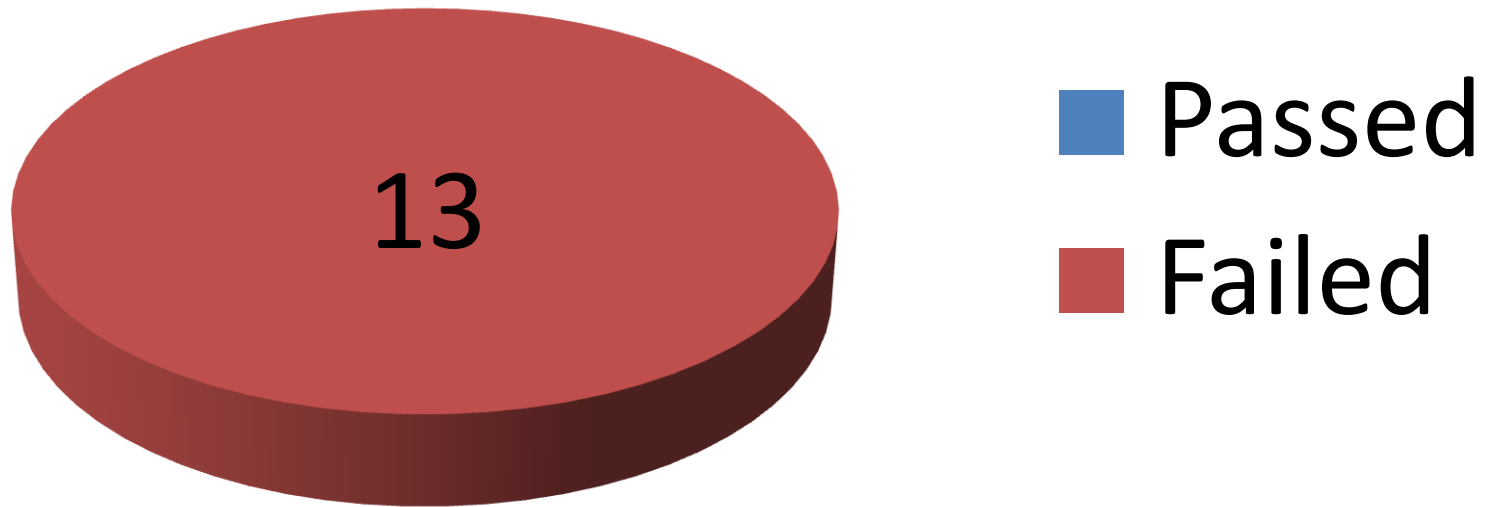
106 Compliance Inspections in 2010



91 Compliance Inspections for Property Sale 2010



13 Compliance Inspections For Building Permits 2010

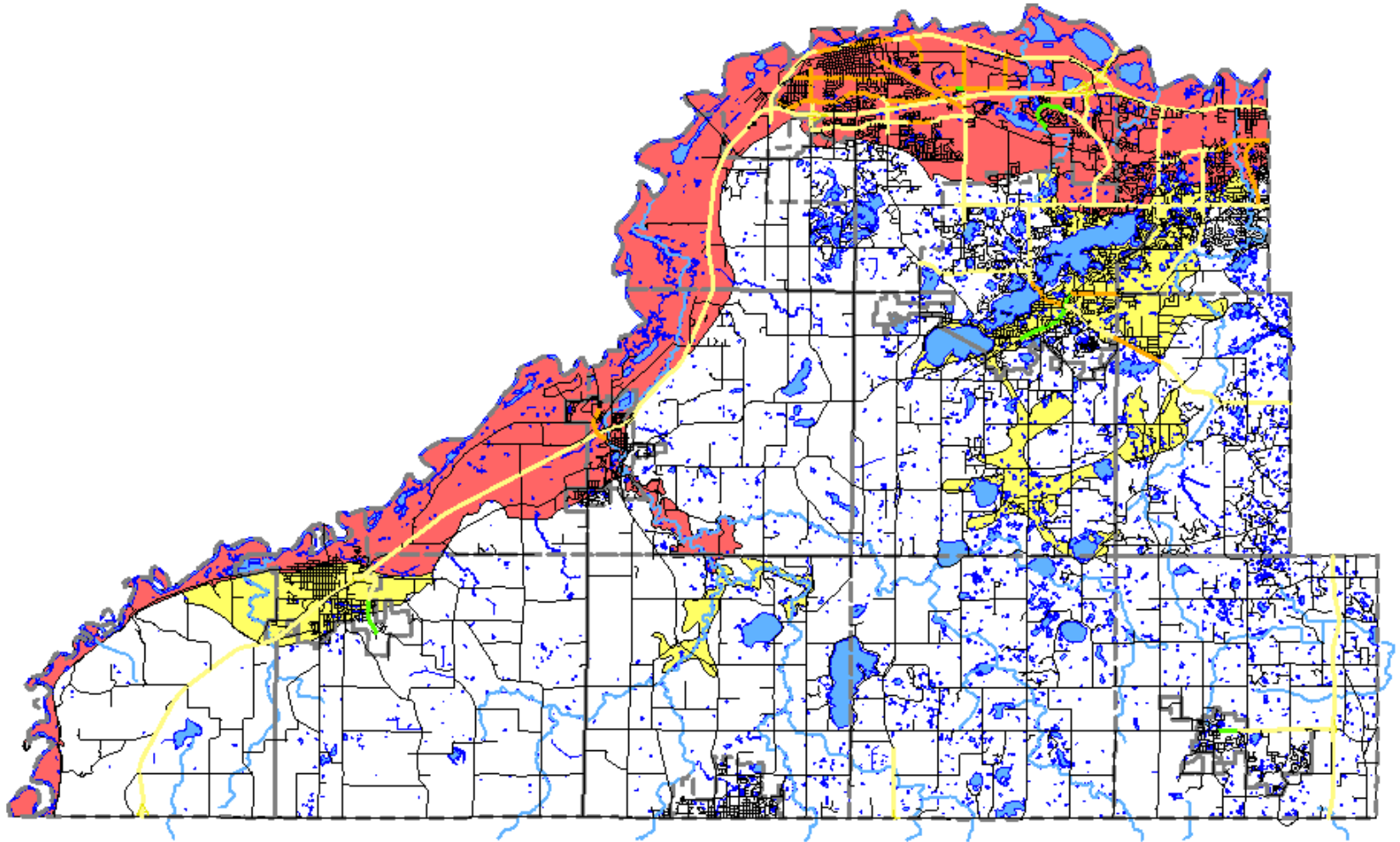


What is required for systems that fail a compliance inspection?

They must be replaced in accordance with the risk they pose.

	Imminent Health Threat	Cesspool, Drywell, Leaching Pit, Seepage Pit or other Pit.	Less than the Required Vertical Separation per Rules part 7080.1500 subp. 4 D. & 4 E.
Areas highly susceptible to ground water contamination	10 months	10 months	3 years
Areas moderately susceptible to ground water contamination	10 months	3 years	5 years
Areas with low susceptibility to ground water contamination	10 months	5 years	10 years

Scott County Ground Water Susceptibility



0 26418ft

How does Scott County's approach to compliance inspections compare with other counties?

Last summer staff surveyed other counties and obtained information from the MPCA. We found that many other jurisdictions require compliance inspections at the time certain building inspection permits are applied for.

	Jurisdiction	Building Permit	Building Permit in Shore Land Only	Comments	Other Zoning/CUP Applications
1	Wadena County	Yes			
2	Murray County	Yes			
3	Beltrami County	Yes			
4	Lake of the Woods	Yes			Yes
5	Chisago County	Yes			Yes
6	Morrison County	Yes			Yes
7	Jackson County	Yes			
8	Fillmore County	Yes			
9	Cass County	Yes			
10	Blue Earth County	Yes			Yes
11	Steele County	Yes			
12	Carver County	Yes			Yes
13	Faribault County	Yes			Yes
16	City of E. Bethel		Yes		
17	Eagle Township		Yes		
18	Dakota County		Yes	Shoreland	
19	Pine County		Yes		
20	Rice County		Yes		Yes
21	Brown County		Yes		Yes
22	Mower County			Property Sale	Yes
23	Martin County			Property Sale	
24	Clear Water County			Property Sale	Yes in Shoreland
25	Crow Wing County			Property Sale	Yes
26	Washington County	Some		Reviews Twp Bldg. Permits	

Reasons why Scott County opted not to require compliance inspections for property transactions

1. Provide a false sense of security to home buyers. System may still be improperly sized or hasn't been properly maintained.
2. County does not have an opportunity to review all property transactions and, then, only after they are recorded.
3. Property transfers may be for estate settlements, mortgage defaults, tax forfeiture etc.
4. Point of sale required inspections do not take into consideration the quality of information available that may have precluded the need for an inspection.
5. Difficult to enforce. Counties we checked with that have adopted this approach are not enforcing it.

If you are considering work on your property that might trigger the need for review of your septic system you can do some free research on your own on the County's Website by selecting: "GIS & Maps" on the left side of the County's home page or click on the link below:

<http://gis.co.scott.mn.us/ScottGIS>

You can search for your property using your address and select the various layers to provide you access to some of the information we have such as:


Natural Resource Layers

- Hydric soils

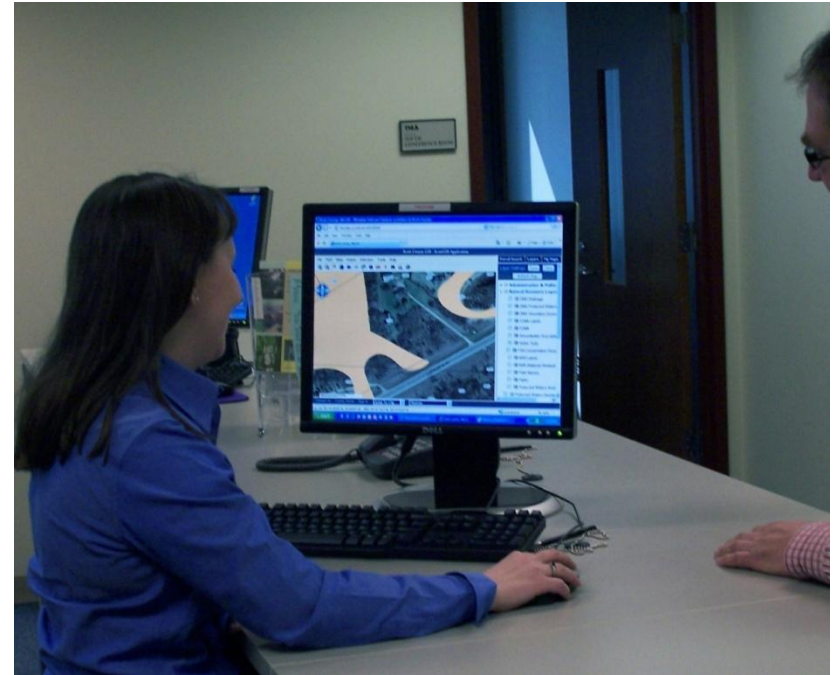
- Groundwater Susceptibility

Aerial Imagery Layers

- Select various Aerial years 1957-2010, (only one at a time).

When viewing your parcel select the  (Information button) and you will see displayed information about your parcel including Septic System Information.

You can also come into the Environmental Health office and ask an Environmentalist to review with you the building you are considering. They will share with you all the information we have in our data base and advise you as to whether or not you would be required to have a compliance inspection conducted on your septic system (if you decide to proceed and apply for a building permit). This consultation is free and will not trigger any action to require your system to be inspected or replaced. The only exception is if you admit to us that your system is discharging to the surface or backing up into your home. In which case your system would need to be replaced by state law within 10 months.



Any Questions? Call us at
952-496-8475 (not on big
white phone☺)



Tina
Holdcroft