

ARTICLE VII. - SUBSURFACE SEWAGE DISPOSAL SYSTEMS (SSDS)

Sec. 50-132. - Purpose.

This article authorizes and provides provisions for municipal enforcement of section 19-13-B103 of the public health code of the State of Connecticut (the "public health code") and of any amendments thereof, hereafter adopted.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-133. - Definitions.

Approved. An SSDS acceptable to the director of health based on a determination as to conformance with the requirements of this Code and the public health code and/or good public health practices.

Licensed installer. A person licensed pursuant to Chapter 393a of the General Statutes of the State of Connecticut.

Plan review. The review of plans associated with the design and construction of a private subsurface sewage disposal system.

Subsurface sewage disposal system (SSDS). A system consisting of a house sewer, a septic tank followed by a leaching system, any necessary pumps and siphons, and any groundwater control system on which the operation of the leaching system is dependent.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-134. - Authority.

This section is enacted pursuant to the provisions of C.G.S. § 7-148. The director of health and his/her agent(s) shall be charged with the enforcement of the provisions of this article and the public health code.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-135. - Actions requiring approval of director of health.

- (a) No person shall construct, alter, repair, enlarge or modify a SSDS that serves any existing building or structure without first having obtained a permit from the director of health.
- (b) No person shall enlarge, remodel or change the present use of any existing building or structure served by a SSDS without first having obtained the written approval of the director of health.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-136. - Soil testing requirements.

- (a) Applications for soil testing and site evaluation shall be made on forms provided by the director of health, signed by the property owner or his duly authorized agent and shall be accompanied by the appropriate fee.
- (b) All soil testing shall be performed in the manner prescribed by the public health code and technical

standards.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-137. - Application process for SSDS plan approval.

- (a) Applications to approve a plan to alter, repair, enlarge or modify an existing SSDS or to construct a new SSDS shall be made on forms provided by the director of health and be accompanied by the appropriate fee as specified in the fee schedule. Applications must be complete and contain all information necessary to demonstrate compliance with the requirements of the public health code and technical standards. Applications must be signed by the property owner or his duly authorized agent.
- (b) To construct a new SSDS, two sets of plans prepared by a professional engineer (P.E.), licensed by the State of Connecticut, bearing the seal and original signature of the engineer shall be submitted for review. Plans shall be at a minimum scale of 1" = 30', have minimum two-foot contours and field topography in the area of the leaching system, contain all soil test results, including percolation test data, provide a cross sectional detail of the leaching system with all appropriate elevations and any other information needed to ensure Code requirements can be met at the site. One set of returnable building plans must accompany the application.
- (c) The director of health may require that plans for the alteration, repair or modification of an existing SSDS be prepared by a P.E. if, in his opinion, the site presents especially difficult conditions and/or the plan prepared by the owner or his agent does not adequately address the site conditions or does not demonstrate compliance with the public health code and technical standards. If the director of health does not require engineered plans for the alteration, repair or modification of an existing SSDS, then the services of a licensed professional subsurface sewage disposal installer are required.
- (d) Upon the receipt of a properly completed application, plan and supporting documentation, the director of health shall review the plan or proposal within ten days of submittal. If the plan is found to be in compliance with the public health code and technical standards, the director of health shall approve the plan and issue a letter of approval, which shall contain any conditions of approval. If the plan is not in compliance with the public health code and technical standards, the director of health shall provide a written report to the applicant and/or the design engineer detailing the reasons why the plan has not been approved.
- (e) The approval of a plan to install a new SSDS or to alter, repair, enlarge or modify an existing SSDS shall not constitute a permit to construct or install and shall expire 12 months from the date of issuance. Plan approvals may be renewed for an additional 12-month period by the director of health upon a showing of good cause.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-138. - Permit to construct or install SSDS.

- (a) No person shall construct or install, alter, repair, enlarge or modify any new or existing SSDS without first obtaining a permit from the director of health. Applications shall be made on forms provided by the director of health, signed by a licensed installer and shall be accompanied by the appropriate fee as specified in the fee schedule.
- (b) At time of application, the licensed installer must provide the director of health with a copy of his valid

subsurface sewage disposal system installer's license issued pursuant to C.G.S. § 20-341.

- (c) Upon receipt of a properly completed application and fee, the director of health shall issue a permit to construct or install a SSDS in accordance with the approved plan together with a copy of the approved plan and the plan review with any comments.

The permit to construct/install shall expire one year from the date of issuance, and shall not be transferable from place to place or from one installer to another. Permit fee(s) are not refundable.

- (d) The SSDS shall be constructed in strict accordance with the provisions of the approved plan and the conditions set forth in the permit to construct or install, unless an exception is granted in writing by the director of health.
- (e) Exceptions to the Code may only be granted for the repair, replacement, enlargement or modifications to existing septic systems and shall not be granted for new construction. Permits in locations where exceptions are needed shall not be issued until the required forms and supporting documentation are submitted to this office.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-139. - SSDS final approval/permit to discharge.

- (a) No SSDS shall be placed into use until it has been inspected and approved by the director of health. The licensed installer shall submit to the director of health an "as-built" plan of the SSDS after the final inspection has been completed and the installation has been approved by the inspector. Upon completion and passing of the final inspection and receipt of all required documentation, the director of health shall issue a permit to discharge for the system as specified in the public health code.
- (b) A final permit to discharge for an individual SSDS system shall not be issued until the installation is completed and an approved as-built drawing is submitted to the satisfaction of the sanitarian.
- (c) Any exceptions to the Code must be noted on the permit to discharge.
- (d) Where the soil air process has been utilized, the permit to discharge shall note any Code exceptions and will require that monitoring data on system performance is submitted on an annual basis by the licensed installer. The director of health shall be notified in writing in the event the soil air system is no longer in use. Orders to install a Code complying system may be issued by the director of health if a surface failure occurs while the soil air system is in use or if its use is discontinued.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-140. - Determination of adequacy of SSDS by sanitarian.

When in the opinion of the town sanitarian he/she determines that the requirements of this section do not appear sufficient to provide adequate waste disposal by a SSDS at a specific location, the sanitarian may require such facilities or measures as he/she shall deem necessary to provide the required waste disposal.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-141. - Subdivision reviews.

- (a) No proposed subdivision requiring private SSDS shall be approved until the director of health has

observed soil testing on the land thereof and has filed a report regarding the feasibility of SSDS with the appropriate planning and/or zoning commission.

- (b) All requests for the observation of soil tests at proposed subdivision sites must be made at least one month prior to the planning and/or zoning commission meeting at which said subdivision sites shall be considered and shall be made in writing on forms provided by the director of health. Such requests shall be accompanied by a preliminary subdivision site plan indicating the number and location of each proposed lot, subdivision location relative to existing roads and the appropriate fee as listed in the fee schedule.
- (c) Prior to site testing, all lots shall be numbered in the field according to the subdivision site plan location.
- (d) At least three deep observation pits per proposed lot shall be required with two test pits to be dug in the likely areas of the primary and another in the likely area for the reserve. Fewer pits may be acceptable if site conditions warrant such reduction.
- (e) To assure the accuracy of deep observation pit findings, the director of health, or his authorized agent, shall be present during testing.
- (f) At least one percolation tests shall be performed on each proposed lot.
- (g) It shall be the responsibility of the property owner to fill in all test holes after evaluation by the director of health.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-142. - Subdivision plan requirements.

- (a) At least two weeks prior to issuance of the report to the planning and zoning commission, the following information shall be submitted to the director of health with the appropriate subdivision plan review fee:
 - (1) A site plan showing each proposed lot with possible locations for the septic system, reserve area, well, any drainage control measures, cuts and fills, driveway locations and any other information necessary to demonstrate the feasibility of building on the lot in conformance with the Connecticut Public Health Code requirements.
 - (2) Location of storm drainage system/easements, if any.
 - (3) Location of water courses or intermittent streams, if any.
 - (4) Location of any wetlands as defined by C.G.S. § 22a-45, as amended.
 - (5) Site plan design scale shall be a minimum of 1" = 40'.
 - (6) Existing and proposed site contours of the subdivision.
 - (7) The accurate location of all test pits as they relate to a possible house or building location, the well, septic system and reserve areas.
 - (8) Certification that all proposed lots must have soil conditions in the area of the leaching system and reserve that meet the minimum requirements of the public health code and technical standards.
 - (9) When a proposed subdivision includes a lot with an existing structure served by a SSDS, a certification that sufficient testing has been performed on that lot to demonstrate the presence of a reserve area that satisfies the requirements of this Code.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-143. - SSDS and subdivision fee schedule.

The fee schedule for SSDS and subdivision shall be established by the town council.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Sec. 50-144. - Penalties.

- (a) Violation of this article shall be an infraction as provided for in C.G.S. §§ 51-164m and 51-164n, as the same may be modified from time to time.
- (b) A fine of \$250.00 per day shall be assessed for each violation that constitutes an offense under this section.
- (c) Each day of the violation thereof shall be deemed a separate offense.
- (d) If criminal prosecution is the result of noncompliance of any of the provisions of this section, the defendant shall be responsible for the town's costs, together with reasonable attorney's fees.

(Ord. No. 218, 8-7-17; Ord. No. 226, 5-21-18)

Secs. 50-145—50-160. - Reserved.