

**HEALTH ORDINANCE FOR THE TOWN OF HARTLAND
RELATING TO INDIVIDUAL SEWAGE DISPOSAL SYSTEMS**

SECTION I. PURPOSE

This ordinance is promulgated under V.S.A. Title 18, Section 613 (Powers of Local Board of Health). The purpose of this ordinance is to:

1. prevent the creation of health hazards;
2. prevent surfacing sewage, the contamination of drinking water, groundwater, and surface water;
3. insure adequate drainage related to the proper functioning of sewage disposal; and
4. insure that facilities are designed, constructed, operated and maintained in a manner which will promote sanitary and healthful conditions.

SECTION II. APPLICABILITY OF ORDINANCE

No individual sewage disposal system shall be built or used except in accordance with this ordinance, and only after a permit has been issued by the Health Officer or another authorized individual authorized by the Board of Health. When a minor modification to an existing system is proposed, the Local Board of Health may waive the permit requirement on a case by case basis. Existing domestic sewage disposal systems in operation at the time of adoption of this ordinance shall be considered approved, provided that such systems do not create a health hazard or nuisance.

SECTION III. APPLICATION PROCEDURE

1. Construction Permit

Any person who intends to build, replace or alter a sewage disposal system on any lot size shall submit an application for a Construction Permit to the Health Officer or his authorized agent.

- a. The application shall contain soil and site information as required by Vermont Health Regulations, Chapter 5, Subchapter 10, Wastewater Treatment and Disposal – Individual On-Site Systems (incorporated herein by reference and hereafter referred to as “Vermont Health Regulations”)
- b. Individual sewage disposal systems shall be designed in accordance with the design specifications in the Vermont Health Regulations.
- c. The system must be constructed according to the plans, i.e., the location and elevations must be maintained.
- d. The Health Officer or his authorized agent shall review the site plans within 10 working days and issue the construction permit if the septic system meets the “Vermont Health Regulations” and those additional requirements for the Town of Hartland (See Section IV).

2. Occupancy Permit

- a. The designer of the sewage disposal system or another qualified designer who inspects the construction, shall in writing inform the Town Health Officer or his authorized agent, that the system has or has not been constructed according to the design plan.
- b. If the sewage disposal system is in compliance with this ordinance, an occupancy permit will be issued within 3 days, otherwise no occupancy permit will be issued until the deficiencies are remedied.

SECTION IV. TOWN OF HARTLAND REQUIREMENTS

1. Town of Hartland Application for Individual Sewage Disposal System.
2. All information required in the Town of Hartland Application for Individual Sewage Disposal.
3. Any leach field being constructed in the Town must first have a construction permit, **regardless of the lot size on which it is constructed.**

SECTION V. ALTERNATIVE SYSTEMS

1. Chemical toilets, privys, composting toilets and incineration toilets may be approved on a case by case basis by the Local Health Officer or his duly appointed agent. If one of the above toilets is used and soil conditions allow, the absorption area of the associated subsurface sewage disposal system may be reduced, provided sufficient area is available to add to the leach field in the event that conventional toilets are used to replace the waterless toilets. All other requirements for setback distances of a standard subsurface disposal system must be met. Full replacement area for a subsurface disposal field is also required. Reduction in the size of any mound system will not be permitted. In allowing a reduction of a subsurface disposal field, the Local Board of Health shall insure that subsequent owners of the property are aware of the limitations of the reduced disposal field and that said disposal area increased to normal size prior to installation of water-type toilets.
2. At the discretion of the Local Board of Health, and authorized in writing, deviations from the design specifications may be allowed. Such deviations will only be allowed if the minimum soil and site requirements and the performance standards of the Vermont Health Regulations will be met.
3. If a person wishes to use a sewage disposal system not in accord with this ordinance, the Local Board of Health may present the proposed system to the State Board of Health for approval. If a proposed alternative system is approved by the State Board of Health, the Local Board of Health may permit use of the system.

SECTION VI. ADMINISTRATIVE PROCEDURE

This procedure is adopted by the authority granted in 18 V.S.A. Section 613 with approval of the State Board of Health, and in accordance with Section 5 – 909 of the Vermont Health Regulations, Chapter 5, Subchapter 10.

Technical Information

Technical information required in the application for Construction and Occupancy Permits shall be prepared by a Sanitary Site Technician for the Vermont Association of Conservation Districts, Inc., a Site Technician licensed by the Vermont Agency of Environmental Conservation or a Registered Professional Engineer with a Civil Engineering background.

Permit Granting Authority

Technical information shall be reviewed and Construction and Occupancy Permits shall be granted or denied by the Town Health Officer or his authorized agent.

Appeals

Applicants may appeal decisions of the Permit Granting Authority to the Local Board of Health. Decision of the Local Board of Health may be appealed to the Superior Court.

SECTION VII. ENFORCEMENT

Written Orders

1. If the Health Officer or his authorized agent finds a person failing to comply with this ordinance he may, in writing, order the person to comply within a specified period of time (18 V.S.A., Section 614).
2. A person who neglects or refused to comply with a written order of the Local Board of Health, the Health Officer, or his authorized agent may be fined not more than \$500.00 for each offense. Each week that a violation is continued shall constitute a separate offense (24 V.S.A., Section 1974).
3. Upon such neglect or refusal, the Local Board of Health may prevent, remove, or destroy any unhealthful conditions or causes of sickness. Expenses incurred by such action shall be recovered from the person whose legal duty it was to comply with such order (18 V.S.A., Section 610).

Hinderance

Any person who attempts to hinder the work of the Health Officer or his authorized agent, or the Local Board of Health shall be fined not more than \$500.00 for each offense (18 V.S.A., Section 616).

SECTION VIII. DEFINITIONS

Applicant – the person who owns the premises on which the sewage disposal system will be constructed.

Local Board of Health – The Local Health Officer and the Selectmen of Hartland.

Local Health Officer – The legally designated health authority of the Town.

On-Site Sewage System – System for disposal of domestic waste using soil as a disposal medium, including a tank for collection of solids and a leach area for liquids.

Permit – A written permit issued by the Local Board of Health or other authorized person. Said permit shall become void if not used within two years after the date it is issued.

Person – Any institution, public or private corporation, individual, partnership, or other entity.

Subsurface Sewage Disposal System – Any system which treats and disposes of domestic sewage underground.

SECTION IX.

“The Board of Health may issue a waiver when applied for in writing to any of the above requirements when a replacement septic system for an existing house built prior to these regulations is being designed, as long as the four performance standards of section I are met.”

Submitted by Local Board of Health:

Beach Conger, Health Officer	2/3/84
Larry J. Frazer, Chairman, Board of Selectmen	1/31/84
Approved by the Vermont Board of Health	
Robert R. Coffin, MD	2/9/84
Approved by the Local Board of Health	
Board of Selectmen	2/21/84

And made effective 4/21/84

Original document is on file at the Hartland Town Clerk's office.

