

Naugatuck Valley Health District

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CODES & REGULATIONS

SUBSURFACE SEWAGE DISPOSAL SYSTEM

1. Scope and Purpose

- A. The purpose of this code is to protect the health and safety of the citizens of the Naugatuck Valley Health District (NVHD) and to assist in the enforcement of the Public Health Code of the State of Connecticut (PHC) by establishing standards for the design, review and approval of private subsurface sewage disposal systems (SSDS).
- B. This code is enacted pursuant to the powers and duties set forth in Connecticut General Statutes 7-148, 19a-206, 19a-207 and 19-243. Sections 19-13-B100a and 19-13-B103 of the PHC, as they are amended from time to time, are hereby adopted as a part of this code.

2. Definitions

For the purposes of this code:

"Accessory Structure" means a permanent non-habitable structure which is not served by a water supply and is used incidental to residential or non-residential buildings. Accessory structures include, but are not limited to, detached garages, open decks, tool and lawn sheds, gazebos and barns.

"Approved" means acceptable to the Director of Health based on a determination as to conformance with the requirements of this code and the Public Health Code of the State of Connecticut and/or good public health practices.

"Authorized agent" means the person designated by the Director of Health to act for him in the performance of his duties

"Board of Directors" means the Board of Directors of the Naugatuck Valley Health District.

"Director of Health" means the Director of Health of the Naugatuck Valley Health District or his authorized agent.

"Fee Schedule" means the Soil Testing, Plan Review, Permit to Construct and associated fees specified in the Annual Fiscal Year Budget adopted by the Board of Directors of the Naugatuck Valley Health District in accordance with the provisions of the Connecticut General Statutes

"Health District" means the Naugatuck Valley Health District.

"Licensed Installer" means a person licensed pursuant to Chapter 393a of the General Statutes of the State of Connecticut.

"Person" means any individual, firm, or association, including, but not limited to, any partnership, limited partnership, limited liability partnership, company, limited liability company, corporation, trust or estate, or the duly authorized representative thereof, including, but not limited to, a fiduciary, trustee or receiver, thereof.

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

"Public Health Code and Technical Standards" means the Regulations and Technical Standards for Subsurface Sewage Disposal Systems of the Connecticut Department of Public Health as they are amended from time to time.

3. Terms defined in other codes.

Where terms are not defined in this code and are defined in either the Connecticut General Statutes or the building, fire safety or public health codes, they shall have the same meanings ascribed to them as in the general statutes or as in these codes.

4. Terms not defined.

Where terms are not defined under the provisions of either the Connecticut General Statutes or the building, fire safety or public health codes, including this code, they shall have ascribed to them their ordinarily accepted dictionary meanings or such as the context may herein imply.

5. Interchangeability.

Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

6. Enforcement.

The Director of Health or his authorized agent shall enforce the provisions of this code, the General Statutes, and the Public Health Code of the State of Connecticut.

7. Conflict of regulations.

In any case where a provision of this code is found to be in conflict with a regulation of the Connecticut Department of Public Health and/or the Department of Environmental Protection on the effective date of this code, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail.

8. Approval of Director of Health

- A. No person shall construct, alter, repair or enlarge a SSDS that serves any existing building or structure without first having obtained the written approval of the Director of Health.
- B. No person shall construct or install any new building or structure on any lot or site, which requires a separate SSDS, without first having obtained the written approval of the Director of Health.
- C. No person shall enlarge, remodel or change the present use of any existing building or structure served by a separate SSDS without first having obtained the written approval of the Director of Health. No approval shall be granted to a building or structure that is served by a cesspool.
- D. No building permit shall be issued by any town or city that is a member of the Health District for the construction or erection of any building to be used for residential, commercial, industrial or other purposes, which requires a separate SSDS, unless a permit for the installation of the SSDS has been issued by the Director of Health and a copy of the same has been presented to the appropriate building official.
- E. When approval is required in accordance with section(s) 8 A or B of this code, and a public sanitary sewer is available as determined by the local Water Pollution Control Authority, the Director of Health shall require connection to the public sanitary sewer. This requirement shall not apply to the construction of an accessory structure or non-residential building if it is not expected to generate wastewater or if the structure can be connected to an existing SSDS on the property that meets all of the requirements of the Public Health Code and Technical Standards.
- F. The Director of Health may grant an exception to the requirement to connect to the public sanitary sewer as required in section 8E of this code upon demonstration of extreme financial hardship or construction difficulty. The Director of Health shall not be bound by a finding of financial hardship or construction difficulty and shall act at all times in the best interest of the public health and safety.

9. Soil Testing & Site Evaluation

- A. No plan to install or construct, alter, repair, enlarge or modify any new or existing SSDS shall be submitted to or reviewed by the Director of Health unless soil testing and site evaluation have been performed on the property.
- B. 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 as specified in the fee schedule.
- C. For new building lots, soil testing and site evaluation shall consist of at least two deep observation pits and one percolation test in the primary area and one deep observation pit and one percolation test in the reserve area. For repairs, soil testing and site evaluation shall consist of at least one deep observation pit and one percolation test in the area proposed for the repair. Additional deep observation pits and/or percolation tests may be required depending on site

conditions. Soil testing shall be witnessed by the Director of Health or his designated representative.

- D. Deep observation pits shall be deep enough to expose the soil to a depth of at least four (4) feet below the bottom of the leaching system. Deep observation pits shall be sloped at one end to provide access to the pit by the inspecting sanitarian. Deep observation pits shall be accurately located on the plan submitted to the Director of Health for review and approval.
- E. Percolation tests shall be performed at the depth and location of the proposed leaching system. Percolation test holes shall be accurately located on the plan submitted to the Director of Health for review and approval.
- F. All soil testing shall be performed in the manner prescribed by the Public Health Code and Technical Standards.
- G. Soil testing and site evaluation conducted between June 1 and December 1 may be accepted at the discretion of the Director of Health. The Director of Health reserves the right to suspend soil testing and site evaluation for new lots during unusual dry periods and require monitoring of ground water levels during periods of seasonal high groundwater. Soil testing for new lots shall not be performed in frozen ground.
- H. The results of soil testing and site evaluation as described in this section shall be valid for a period of five (5) years from the date of the most recent testing subject to the following conditions:
 - 1. An application for soil testing and site evaluation is on file and the required fee has been paid.
 - 2. The soil testing has been witnessed by a representative of the Naugatuck Valley Health District.
 - 3. Testing must have taken place in the location where the SSDS is proposed.
 - 4. At the time of application, the Director of Health shall make a site visit to determine if there have been substantial changes to the lot or the surrounding area that would alter the drainage characteristics of the lot or the elevation of groundwater at the site. If such changes are found, additional testing will be required.
 - 5. The Director of Health may require additional soil testing and site evaluation on any parcel if the information on file is inadequate to determine that the SSDS can be constructed in accordance with the requirements of the Public Health Code and this code.

10. Application for Approval of Plans

- 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. Plans for the installation of a new SSDS shall be prepared by a Professional Engineer (P.E.), licensed by the State of Connecticut, and shall bear the seal and live signature of the engineer. 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.
- D. Upon receipt of a properly completed application, plan and supporting documentation, the Director of Health shall review the plan. 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 reject the plan and return it to the applicant noting the reason(s) for its rejection. The applicant shall be allowed to re-submit one (1) revised plan without additional charge. Subsequent submissions shall be subject to an additional application fee.
- 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 twelve (12) months from the date of issuance. Plan approvals may be renewed for an additional twelve (12) month period by the Director of Health upon a showing of good cause.

11. Permit to Construct or Install

- A. No person shall construct or install, alter, repair, enlarge or modify any new or existing SSDS without first obtaining a permit to construct/install 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 Section 20-341 of the General Statutes of the State of Connecticut.
- 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. The permit shall include specific design requirements for the SSDS including any exceptions to the Public Health Code. The permit to construct/install shall expire sixty (60) days 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. 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 within two business days of the date of the final inspection. Upon completion 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.

12. Subdivision Approval

- A. No proposed subdivision requiring private SSDS shall be approved until the Director of Health has made appropriate tests 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 inspection of proposed subdivision sites must be made at least two weeks prior to the planning and/or zoning commission meeting at which said subdivision sites shall be considered. All initial requests for subdivision approval shall be made in writing on forms provided by the Director of Health and shall be accompanied by a subdivision site plan indicating the number and location of each proposed lot; roads; subdivision location relative to existing roads; site contours in 2 foot increments 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. Staked lot numbers shall remain on site until a certificate of occupancy is issued.
- D. Three deep observation pits per proposed lot shall be required. Two test pits to be dug in the likely areas of the primary and another in the likely area for the reserve.
- E. To assure the accuracy of deep observation pit findings, the Director of Health, or his authorized agent, shall be present during testing.
- F. No approval will be given for a new or proposed SSDS where the naturally occurring soil conditions area of the leaching system are unsuitable for sewage disposal purposes as defined by the Public Health Code and Technical Standards.
- G. It shall be the responsibility of the property owner to fill in all test pits after evaluation by the Director of Health.
- H. Requests for additional testing of proposed lots shall be accompanied by the Additional Plan Review fee as listed in the fee schedule. This fee shall be submitted prior to the additional testing.
- I. 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 in a subdivision site plan package:
 - 1. The number of each lot.

2. Storm drainage system/easements, if any.
3. Water courses or intermittent streams, if any.
4. Location of any wetlands as defined by Section 22a-45 of the Connecticut General Statutes, as amended.
5. Soil types as defined by the latest Soil Survey of the United States Department of Agriculture Soil Conservation Service.
6. Site contours of the subdivision.
7. The accurate location of all test pits.

13. Unhealthful Discharge or Overflow of Sewage

- A. No person shall construct or maintain any privy, cesspool, sewage disposal system, pipe or drain so as to expose or discharge sewage or other deleterious liquid or offensive material there-from to the atmosphere, or on the surface of the ground, or into any storm sewer or drain, nor so as to endanger any source of supply of drinking water, nor as to discharge into any watercourse or body of water.
- B. The exposure or discharge of sewage shall be eliminated by pumping the septic tank, conserving water by reducing water usage on laundry and installing water conserving devices or any other approved means until the SSDS is repaired or all the plumbing is tied into the public sewerage system. If appropriate, the area of sewage shall be limed or covered to preclude access to the sewage.

14. Abandonment of Septic Tank, Cesspools & Leaching Pits

The owner of any septic tank, cesspool and/or any hollow leaching structure or pit, which is no longer in use, or which has been abandoned shall have the unit pumped empty, crushed and filled with an inert material to prevent harm and contamination. The contractor for this work shall provide the Director of Health with a statement of the work done.

15. Penalties other than suspension and revocation.

Any person who shall violate any provisions of this code and/or the Public Health Code of the State of Connecticut shall be guilty of a misdemeanor. Upon conviction thereof, such person shall be subject to a fine of not more than one hundred dollars (\$100) for each day that an offense continues between the date of notice of violations and the date of correction as known by reinspection, or the date of disposition by a court of competent jurisdiction. Absent proof of a claim that said violation(s) has (have) been corrected as herein provided for, said violation(s) shall be deemed to have continued consecutively each day during the period of time prior to said disposition. In addition thereto, such persons may be enjoined from continuing such violation(s).

16. Severability.

If any provision or application of this code is held invalid for any reason, that invalidity shall not affect other provisions of this code.

17. Repealer.

With the adoption of this code, the section entitled "Sewage Disposal Section" in the Code of the Naugatuck Valley Health District adopted on January 6, 1992 as amended be and is hereby repealed.

18. Adoption/Effective Date.

This code was adopted July 14, 2002