

SEPTIC SYSTEM REPAIR

Preamble:

Inadequate treatment of sanitary sewage represents a significant health hazard. Within the City of Ramsey there are thousands of on-site septic systems, all of which have finite service lives. Many of these systems are beyond or are approaching their expected service life of 15 to 20 years. It is inevitable that septic system failures will occur and that the City will receive complaints regarding these failures. It is therefore imperative that the City have a policy to deal with these failures, which will avoid or limit any potential public health hazard.

Investigation of Complaints:

All complaints alleging the failure of a septic system will be investigated by the City's Building Official or other staff knowledgeable in this area. The individual performing the inspection shall conduct an on-site visit and shall identify the purpose of the visit to the occupant of the property if the resident is home at the time of the visit. If the Inspector is refused access to the property for the purpose of inspection, the Inspector shall inform the resident that the City Attorney will be employed to gain legal access for the purpose of conducting the inspection. Any costs associated with the City Attorney's efforts will be considered project costs if the system is determined to be in failure.

Notice of Failure:

If the results of the investigation cause the Inspector to determine that the system has failed, the Inspector shall issue notice to the property owner stating that the system has failed and providing the conditions observed for that conclusion. The Inspector shall require the system to be repaired or replaced within a specific period of time, generally no more than thirty (30) days. The Building Official may extend this period for reasonable cause, primarily reason relating to construction, providing that the property owner provides evidence of regular pumping of the septic tank which shall be no less frequent than biweekly.

Failure to Comply With Repair or Replacement Order:

If the property owner fails to comply with the order of the Building Official, the Building Official will notify the property owner in writing of the noncompliance and advise the property owner that the City will obtain two quotations for the repair work for licensed septic system installations and will authorize the work to be performed. The City will further ask the home owner to grant right of entry onto the property within ten (10) days of the date of this notice. If a right of entry is not forthcoming within the designated period, the Building Official shall refer the need for access to the property to the City Attorney.

The home owner shall be advised that all construction costs associated with the City repair and legal fees, plus an administrative and overhead fee of 25%, will be charged to the cost of the repair. Upon completion of the project, an itemized bill for the work will be sent to the property owner. If the bill is not paid in full within thirty (30) days, interest will accrue at a rate set under City policy and the entire project cost will be special assessed against the subject property.

Property Owner Requests:

In the event a property owner requests City financial assistance to repair/replace a failing septic system that has been designated an imminent public health hazard, the City will require the following:

- (1) Proof from the property owner that he/she has made reasonable attempts to secure alternate sources of funding to pay for the system repair including private and public funding sources.

(2) A City finding that the property owner's financial condition warrants the extraordinary public benefit provided by this Septic System Repair Policy. This funding will be based upon a reasonable investigation of the property owner's financial condition including but not limited to a review of his/her mortgage payment and property tax payment history and a personal credit report.

(3) The property owner's signed Petition and Waiver Agreement, by which agreement the property owner requests that the septic system improvement be made, that its cost be specially assessed against the property owner's property and that the property owner waives any special assessment procedure irregularities including that no public hearing will be held regarding the improvement project. The Petition and Waiver Agreement will also include a provision that the property owner shall continue to investigate alternative funding options in an effort to pay off the special assessment prior to its term expiration. In the event the property owner secures alternative funding and reimburses the City for all costs incurred for repairing/replacing the failed septic system within two (2) years from the date the City levies the special assessment, the property owner will receive a ten percent (10%) refund of the twenty five percent (25%) administrative and overhead fee included in the special assessment.