

Bill No. 4709

Ordinance No. _____

Requested by: Mike Hurlbert

Sponsored by: John White

AN ORDINANCE AMENDING SECTIONS 500.150, 500.300, 500.310, 500.520.A, 500.600.A and 500.880 OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI (“OSCCMO”) RELATED TO BUILDING CODES AND THE BUILDING COMMISSION.

WHEREAS, Article II, Section 2.529 of the St. Charles County Charter provides that the Council may exercise legislative power pertaining to public health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated Cities, Towns, and Villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, because the current time periods for repair of damaged properties have resulted in longer lasting nuisance property violations, shorter time frames are necessary for the County to ensure prosecution and removal of nuisance property violations are performed quickly and effectively in the interest of the health and welfare of the public; and

WHEREAS, amendments are necessary to the private sewage disposal system (septic) maintenance program in order to achieve compliance with state requirements while ensuring the new management program is easier to implement with the County’s available resources; and

WHEREAS, to ensure proper installation of all manufactured homes, amendments are necessary to implement the same requirements of state licensure for installation of used manufactured homes as are in place for installation of new manufactured homes; and

WHEREAS, current ordinance requires quarterly meetings of the Building Commission; however, oftentimes the Commission has no business before them and so it is not necessary to convene quarterly but as needed; and

WHEREAS, the County Council finds that it is in the public interest to amend Chapter 500, Building Codes and County Building Commission, OSCCMo, as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 500.150 *Adoption Of Residential Code For One- And Two-Family Dwellings Of St. Charles County*, Paragraph R105.5 *Expiration*, OSCCMo., is hereby deleted in its entirety.

Section 2. Section 500.300. OSCCMo., is hereby amended as follows (added text in **bold type**, deleted text in [~~bracketed and stricken type~~]):

Section 500.300 Adoption of Private Sewage Disposal Code of St. Charles County.

St. Charles County hereby adopts the 2015 International Private Sewage Disposal Code, a copy of which shall be deposited in the Office of the County Registrar with this ordinance, with the following amendments by

additions, insertions, deletions and changes so that such section and subsections to read as follows:

(CHAPTER 1 ADMINISTRATION)

(SECTION 101 GENERAL)

101.1 Title. These regulations shall be known as the Private Sewage Disposal Code of St. Charles County, hereinafter referred to as "this code."

(SECTION 103 DEPARTMENT OF PRIVATE SEWAGE DISPOSAL INSPECTION)

103.1 General. The Division of Building and Code Enforcement of the Department of Community Development shall be the enforcement agency for this code and the Division's director shall be the building official or code official referred to in this code.

103.2 Appointment. The code official shall be appointed as provided by ordinance.

(SECTION 106 PERMITS)

106.2.1 Construction documents. An application for a permit shall be accompanied by construction documents, as required by the code official, drawn to scale, with sufficient clarity and detail dimensions showing the nature and character of the work to be performed. Specifications shall include pumps and controls, dose volume, elevation differences (vertical lift), pipe friction loss, pump performance curve, pump model and pump manufacturer. The code official is permitted to waive the requirements for filing construction documents where the work involved is of a

minor nature. Where the quality of the materials is essential for conformity to this code, specific information shall be given to establish such quality, and this code shall not be cited, or the term "legal" or its equivalent used as a substitute for specific information.

106.2.3 Time limitation of application. An application for a permit for any proposed work shall be deemed to have been abandoned ninety (90) days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the code official shall have the authority to grant one (1) or more extensions of time for additional periods not exceeding ninety (90) days each. The extension shall be requested in writing and justifiable cause demonstrated.

106.2.4 Previous approvals. This code shall not require changes in the construction documents, construction or designated occupancy of a structure for which a lawful permit has been heretofore issued or otherwise lawfully authorized, and the construction of which has been pursued in good faith within [~~ninety (90)~~] **one hundred and eighty (180)** days after the effective date of this code and has not been abandoned.

106.2.5 Soil data. Soil test reports shall be submitted indicating soil boring data related to the undisturbed and finished grade elevations, vertical elevation reference point and horizontal reference point. Surface elevations shall be given for all soil borings. Soil reports shall bear the signature of a soil tester.

106.3.4 Extensions. Any permittee holding an unexpired permit shall have the right to apply for an extension of the time within which the permittee will commence work under that permit when work cannot be commenced within the time required by this Section for good and satisfactory reasons. The code official shall extend the time for action by the permittee for a

period not exceeding [~~ninety (90)~~] **one hundred and eighty (180)** days if there is reasonable cause. No permit shall be extended more than once.

106.5.3 Expiration. All permits for work under the scope of this code shall comply with Section 105.5 Expiration of the Building Code of St. Charles County.

106.4.2 Fee schedule. The fees for private sewage disposal work shall be as set forth by the Ordinances of St. Charles County, Missouri.

106.4.3 Fee refunds. The code official is authorized to establish a refund policy.

106.90 Electronic submission. Where design documents, including, but not limited to, plot plans, site plans, design drawings, specifications, etc., are originally created electronically, the building official is authorized to require electronic submittal of documents in a portable document format (PDF) or similar format for review. Where design documents were originally prepared on paper and are submitted in a paper form, the building official is authorized to charge a fee for converting those drawings to PDF equal to the cost incurred by County staff recreating the document and not to exceed more than one dollar (\$1.00) per page.

Exception:

Where submittal documents were originally prepared by hand and are eleven (11) inches by seventeen (17) inches or less, the fee for document conversion shall not be charged.

(SECTION 107 INSPECTIONS AND TESTING)

107.90 Workmanship. All work shall be executed in a workmanlike and skilled manner so that, for example, floors are level, walls are plumb and square, windows and doors are plumb, square and easily operable,

exterior building envelopes are weather-tight and exclude the elements, building materials are undamaged, and surfaces are unmarred. All work performed shall be in compliance with this code, per industry standards, and in accordance with the manufacturer's installation instructions.

(SECTION 108 VIOLATIONS)

108.4 Violation penalties. Any person who shall violate a provision of this code or fail to comply with any of the requirements thereof or who shall erect, install, alter or repair private sewage disposal work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars (\$500.00), and each day's continuance of a violation shall be deemed a separate offense.

108.5 Stop work orders. Upon notice from the code official, work on any private sewage disposal system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, to the owner's authorized agent or to the person performing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a

violation or unsafe condition, shall be liable to a fine of up to two hundred fifty dollars (\$250.00).

(SECTION 109 MEANS OF APPEALS)

109.1 Application for appeal. For the purposes of this code, all appeals shall be in accordance with the procedure established for the Building Code of St. Charles County, Missouri, in Section 113 of 500.100.

109.2 Membership of board. Delete in its entirety.

109.2.1 Qualifications. Delete in its entirety.

109.2.2 Alternate members. Delete in its entirety.

109.2.3 Chairman. Delete in its entirety.

109.2.4 Disqualification of member. Delete in its entirety.

109.2.5 Secretary. Delete in its entirety.

109.2.6 Compensation of members. Delete in its entirety.

109.3 Notice of meeting. Delete in its entirety.

109.4 Open hearing. Delete in its entirety.

109.4.1 Procedure. Delete in its entirety.

109.5 Postponed hearing. Delete in its entirety.

109.6 Board decision. Delete in its entirety.

109.6.1 Resolution. Delete in its entirety.

109.6.2 Administration. Delete in its entirety.

109.7 Court review. Delete in its entirety.

(CHAPTER 3 GENERAL REGULATIONS)

(SECTION 302 SPECIFIC LIMITATIONS)

302.6 Water softener and [~~iron filter backwash~~] **similar discharge**. Water softener [~~or~~], iron filter **backwash**, or similar discharge shall be diverted away from [~~septic~~]

the private waste disposal system~~[, provided a nuisance is not created]~~ and shall not create a nuisance.

(SECTION 303 FLOOD HAZARD AREAS)

303.4 Flood hazard areas. Control systems and similar equipment shall be located a minimum of one (1) foot above base flood elevation.

(CHAPTER 4 SITE EVALUATION AND REQUIREMENTS)

(SECTION 403 SOIL BORINGS AND EVALUATION)

403.1 Soil borings and profile descriptions. Soil borings shall be conducted on all sites, regardless of the type of private sewage system planned to serve the parcel. Borings shall extend at least [~~three (3)~~] **four (4)** feet ([~~914~~] **1219** mm) below the bottom of the proposed system. Borings shall be of sufficient size and extent to determine the soil characteristics important to an on-site liquid waste disposal system. Borehole data shall be used to determine the suitability of soils at the site with respect to zones of seasonal or permanent soil saturation and the depth to bedrock.

The use of power augers for soil borings is prohibited. Soil borings shall be conducted and reported in accordance with Sections 403.1.1 through 403.1.5. Where it is not practical to have borings made with a backhoe, such borings shall be augered or dug by hand.

403.1.1 Number. There shall be not less than two (2) borings per soil absorption site. Where necessary, more soil borings shall be made for an accurate evaluation of

a site. Borings shall be constructed to a depth of not less than [~~three (3)~~] **four (4)** feet ([~~914~~] **1219** mm) below the proposed depth of the system.

Exception: **On new parcels, there shall be not less than two borings along with one pit excavation at a five (5) foot depth.** Three (3) borings are required for repairs of existing private sewage disposal systems[~~along with one (1) backhoe excavation at a five foot depth~~].

(SECTION 403 SOIL BORINGS AND
EVALUATION)

404.1 General. The permeability of the soil in the proposed absorption system shall be determined by permeability evaluation.

404.2 Percolation tests and procedures. Delete in its entirety.

404.2.1 Percolation test hole. Delete in its entirety.

404.2.3 Test procedure, other soils. Delete in its entirety.

404.2.4 Mechanical test equipment. Delete in its entirety.

TABLE 406.1

MINIMUM HORIZONTAL SEPARATION
DISTANCES FOR SOIL ABSORPTION
SYSTEMS

ELEMENT	DISTANCE (feet)
Cistern	50
Habitable building, below- grade foundation	25
Habitable building, slab-on- grade	15

Lake, high-water mark	50
Lot line (for new construction)	30
Lot line (for repairs)	10
Reservoir	50
Roadway ditches	[10] 25
Spring	100
Streams or watercourse ^a	50
Swimming pool	15
Uninhabited building	10
Water main	50
Water service	10
Water well	100

For SI: 1 foot = 304.8 mm.

- a. All natural watercourses depicted on the most current United States Geological Survey (U.S.G.S) 7.5 Minute Series (Topographic) Maps for St. Charles County, Missouri, shall be left in their natural state.

406.3 Percolation rate, trench or bed. Delete in its entirety.

406.4 Percolation rate, seepage pit. Delete in its entirety.

(CHAPTER 5 MATERIALS)
(SECTION 501 GENERAL)

501.2 Minimum standards. Materials shall conform to the standards referenced in this code for the construction, installation, alteration or repair of private sewage disposal systems or parts thereof. All new

construction requires N.S.F. Class 1 tanks, unless otherwise determined by the Code Official.

Exception: The extension, addition to or relocation of existing pipes with materials of like grade or quality in accordance with Sections 102.6 and 105.

(SECTION 504 TANKS)

504.3 Steel tanks. Delete in its entirety.

504.5 Manholes. Manhole collars and extensions shall be of the same material as the tank. Manhole covers shall be of concrete or other approved material.

(CHAPTER 6 SOIL ABSORPTION SYSTEMS)

(SECTION 602 SIZING SOIL ABSORPTION SYSTEMS)

602.1 General. Effluent from septic tanks and other approved treatment tanks shall be disposed of by soil absorption or an approved manner. Sizing shall be in accordance with this Chapter for systems with a daily effluent application of three thousand (3,000) gallons (11,356 925 L) or less. Two (2) systems of equal size shall be required for systems receiving effluents exceeding three thousand (3,000) gallons (11,356 L) per day. Each system shall have a minimum capacity of seventy-five percent (75%) of the area required for a single system. An approved means of alternating waste application shall be provided. A dual system shall be considered as one (1) system.

(SECTION 603 RESIDENTIAL SIZING)

603.1 General. All absorption fields shall be designed based on soil morphology reevaluation reports prepared by a certified professional soil scientist or by a professional engineer licensed by the State of Missouri.
Delete Table 603.1

(SECTION 604 OTHER BUILDING SIZING)

604.1 General. Calculations to determine the size of absorption field shall be based upon sewage flow rates in Table 2A and soil groups in Tables 13 and 14 in 19 CSR 20-3.060 as currently promulgated or as amended hereafter and as provided in that rule.

Delete Table 604.1(1)

Delete Table 604.1(2)

604.2 Drain Field Calculations, rounding.

Calculation for the length of the drain field shall be rounded up to the next one hundred (100) lineal feet.

(CHAPTER 7 PRESSURE DISTRIBUTION SYSTEMS)

(SECTION 706 DOSING)

706.1 General. The dosing frequency shall be not greater than four (4) times daily. A volume per dose shall be established by dividing the daily waste-water flow by the dosing frequency. The dosing volume shall be not less than ten (10) times the capacity of the distribution pipe volume. Table 706.1 provides the estimated volume for various pipe diameters.

TABLE 706.1

ESTIMATED VOLUME FOR VARIOUS DIAMETER PIPES

DIAMETER (inches)	VOLUME (gallons per foot length)
1	0.041
1 1/4	0.064
1 1/2	0.092
2	0.164
3	0.368
4	0.655
5	1.47

For any septic system that requires dosing, the pump tank shall be a one thousand (1,000) gallon concrete single compartment tank equipped with effluent pump with float and high water alarm. A timer shall dose over a twenty-four (24) period, instead of on demand

(CHAPTER 8 TANKS)

(SECTION 802 SEPTIC TANKS AND OTHER TREATMENT TANKS)

802.1 General. Septic tanks shall be fabricated or constructed of monolithic concrete, fiberglass or an approved material. Tanks shall be water tight and fabricated to constitute an individual structure, and shall be designed and constructed to withstand anticipated loads. The design of prefabricated septic tanks shall be approved. Plans for site constructed concrete tanks shall be approved prior to construction.

802.2 Design of septic tanks. Septic tanks shall conform to the design standards set out in 19 CSR 20-3.060(4), as currently promulgated or as amended hereafter.

802.7.1 Sizing of tank. The minimum liquid capacity for one- and two-family dwellings shall be in accordance with Table 802.7.1.

TABLE 802.7.1
SEPTIC TANK CAPACITY FOR ONE- AND TWO-FAMILY DWELLINGS

NUMBER OF BEDROOMS	SEPTIC TANK (gallons)
1	1,000
2	1,000
3	1,000
4	1,250
5	1,500

For SI: 1 gallon = 3.785 L.

Exception:

Six (6) bedrooms or more requires one thousand (1,000) gallon trash tank in front of Class 1.

802.7.2 Other buildings. For buildings, the liquid capacity shall be increased above the seven hundred fifty (750) gallon (2839 L) minimum as established in Table 802.7.1. In buildings with kitchen or laundry waste, the tank capacity shall be increased to receive the anticipated volume for a twenty-four (24) hour period from the kitchen or laundry or both. The liquid capacities established in Table 2A "Quantities of Domestic Sewage Flows" in Section B 19 CSR 20-3.060 do not include employees.

Exception: One- or two-family dwellings.

Table 802.7.2 Additional Capacity for Other Buildings. Delete in its entirety.

802.8 Installation. Septic and other treatment tanks shall be located with a horizontal distance not less than as specified in Table 1 "Minimum Set-Back Distances" in 19 CSR 20-3.060(4), as currently promulgated or as amended hereafter, except that for new construction: (a) sewage tanks shall be one hundred (100) feet from any private water supply, and (b) both sewage tanks and absorption fields (disposal areas) shall be thirty (30) feet from any property line. Tanks installed in ground water shall be securely anchored. A three (3) inch thick (76 mm) compacted bedding shall be provided for all septic and other treatment tank installations. The bedding material shall be sand, gravel, granite, limerock or other non-corrosive materials of such size that the material passes through a five tenths (0.5) inch (12.7 mm) screen.

Table 802.8 Minimum Horizontal Separation Distances for Treatment Tanks. Delete in its entirety.

802.11.1 Capacity sizing. The working capacity of the dosing or pumping chamber shall be sized to permit automatic discharge of the total daily sewage flow with discharge occurring not more than four (4) times per twenty-four (24) hours. Minimum capacity of a dosing chamber shall be one thousand (1,000) gallons (3790 L) and a space shall be provided between the bottom of the pump and floor of the dosing or pumping chamber. A dosing chamber shall have a one (1) day holding capacity located above the high-water alarm for one- and two-family dwellings based on one hundred twenty (120) gallons (455 L) per day per bedroom, or in the case of other buildings, in accordance with Section 802.7. For one- and two-family dwellings, pump

chambers shall at a minimum be one-thousand (1,000) gallon, single compartment, time-dosed tanks.

Where the total developed length of distribution piping exceeds one thousand (1,000) feet (305 m), the dosing or pumping chamber shall have two (2) siphons or pumps dosing alternately and serving one-half (1/2) of the soil absorption system.

Table 802.11.1 Pump Chamber Sizes. Delete in its entirety.

Table 903.1(3) Design criteria for a three (3) bedroom home for a mound on a zero- to six-percent slope with loading rates of four hundred fifty (450) gallons per day for slowly permeable soil. Delete in its entirety.

Table 903.1(4) Design criteria for a four (4) bedroom home for a mound on a zero- to six-percent slope with loading rates of six hundred (600) gallons per day for slowly permeable soil. Delete in its entirety.

Table 903.1(5) Design criteria for a one (1) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of one hundred fifty (150) gallons per day for shallow permeable soil over creviced bedrock. Delete in its entirety.

Table 903.1(6) Design criteria for a two (2) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of three hundred (300) gallons per day for shallow permeable soil over creviced bedrock. Delete in its entirety.

Table 903.1(7) Design criteria for a three (3) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of four hundred fifty (450) gallons per day for shallow permeable soil over creviced bedrock. Delete in its entirety.

Table 903.1(8) Design criteria for a four (4) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of six hundred (600) gallons per day

for shallow permeable soil over creviced bedrock. Delete in its entirety.

Table 903.1(9) Design criteria for a one (1) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of one hundred fifty (150) gallons per day for permeable soil with a high water table. Delete in its entirety.

Table 903.1(10) Design criteria for a two (2) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of three hundred (300) gallons per day for permeable soil with a high water table. Delete in its entirety.

Table 903.1(11) Design criteria for a three (3) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of four hundred fifty (450) gallons per day for permeable soil with a high water table. Delete in its entirety.

Table 903.1(12) Design criteria for a four (4) bedroom home for a mound on a zero- to twelve-percent slope with loading rates of six hundred (600) gallons per day for permeable soil with a high water table. Delete in its entirety.

Table 903.5.5 Downslope and upslope width corrections for mounds on sloping sites. Delete in its entirety.

Table 903.6 Infiltrative capacity of natural soil. Delete in its entirety.

Section 3. Section 500.310. OSCCMo, is hereby amended as follows (added text in **bold type**, deleted text in ~~[bracketed and stricken type]~~):

Section 500.310 Private Sewage Disposal Permitting.

A. Prior to the transfer of ownership of any property served by a private sewage disposal system and/or private well, the seller shall have the private sewage disposal system and/or private well inspected for compliance with this code and with the other standards enumerated in Section 626.020, Ordinances of St. Charles County, Missouri. The inspections shall be conducted by a third party inspector licensed by St. Charles County. Inspection fees shall be the responsibility of the seller, **unless otherwise allowed by the Code Official**. All violations found at the time of inspection shall be corrected by either the seller or the buyer. If the buyer accepts responsibility to correct the violations, the buyer must meet the following requirements:

1. The buyer must sign an affidavit accepting responsibility for correcting violations and deliver that affidavit to the St. Charles County Division of Building and Code Enforcement; and

2. Either the buyer or seller must establish an escrow account as provided by law in which is deposited a fund sufficient to cover the costs of correcting violations, as determined by the Director of the St. Charles County Division of Building and Code Enforcement based on bids or other documentation provided by the buyer or seller. That escrow account shall be established pursuant to an escrow or lender's agreement prepared on a form to be developed and supplied by the Director of the St. Charles County Division of Building and Code Enforcement and complying substantially with forms authorized by St. Charles County Ordinance No. 93-44. The Director shall release escrow funds only

when the private sewage disposal system and/or private well are brought into compliance with applicable codes.

A twenty-dollar (\$20) fee shall be assessed by the St. Charles County Division of Building and Code Enforcement for its review of the inspection report and all the actions it will have to take and paperwork it will have to process to determine that the subject system complies with this code, and such fee shall be paid to the St. Charles County Division of Building and Code Enforcement at the time St. Charles County Division of Building and Code Enforcement receives the inspection report and prior to it taking any action or processing any paperwork.

B. An owner of any property served by a private sewage disposal system shall ~~[obtain an operating permit and maintain in force a service and maintenance agreement if and as provided herein]~~ **be required to provide a maintenance affidavit related to the maintenance and condition of private sewage disposal systems.**

~~[1. Operating permit required. Except as provided below, no private sewage disposal system may be used nor may the premises served by such a system be used or occupied unless the owner of those premises has obtained an operating permit and maintains in force a service and maintenance agreement as provided in this Subsection. This requirement, however, shall apply only to private sewage disposal systems permitted after September 1, 2009, and to premises served by older systems if those premises were acquired after September 1, 2009.]~~

~~2. Application. Applications for such permits shall meet the following requirements:~~

~~3. Forms. Applications shall be on forms developed by the Division of Building and Code Enforcement that include:~~

~~a. A statement that the Division of Building and Code Enforcement may inspect the private sewage disposal system serving the property for compliance with this code,~~

~~b. A statement that the owner or owners shall maintain in force a service and maintenance agreement with an on-site sewage disposal system contractor duly licensed by St. Charles County for the purpose of maintaining that system in compliance with this code,~~

~~c. An identification of the property served by that system (for example, by reference to Assessor's Parcel Identification Number), and~~

~~d. Signatures of all record owners of the property.~~

~~4. Related submittals. Applications shall be accompanied by:~~

~~a. An application fee authorized by ordinance;~~

~~b. A copy of a current service and maintenance agreement meeting the requirements of this Subsection; and~~

~~c. A certificate, prepared on a form developed by the Division of Building and Code Enforcement, signed by an on-site sewage disposal system contractor duly licensed by St. Charles County, and stating that the above-mentioned copy of the service and maintenance agreement is a true and~~

~~accurate copy of it, stating that the agreement is in force, and identifying the agreement's term.~~

~~5. Term. Such permits shall be valid as long as service and maintenance agreements required by this Subsection are maintained without any interruption not allowed by this Subsection.~~

~~6. Expiration. Permits shall expire automatically if service and maintenance agreements required by this Subsection are terminated and not replaced with new service and maintenance agreements as required by this Subsection.~~

~~7. Permits not transferable. Any purchaser of property served by a private sewage disposal system must apply for a new operating permit as required by this Subsection.~~

~~8. Service and maintenance agreements — contractors' duties. Service and maintenance agreements for private sewage disposal systems shall require on-site sewage disposal system contractors to:~~

- ~~a. Alternative systems should be inspected yearly;~~
- ~~b. Maintain those systems in compliance with this code;~~
- ~~c. Inspect those systems not less than every two (2) years for compliance with this code, and report the results of those inspections to the Division of Building and Code Enforcement, and~~
- ~~d. Report termination of those agreements to the Division of Building and Code Enforcement.~~

~~9. Service and maintenance agreements — property owners' duties upon termination or expiration. Upon expiration or termination of any service and~~

~~maintenance agreement property owners shall renew that agreement or enter a new agreement with another contractor within thirty (30) days.]~~

1. **Timeframes.** Evidence and affidavit of maintenance shall be submitted to the Division of Building and Code Enforcement at no less than the following frequency:
 - a. **Conventional Systems – Evidence shall be provided at a minimum of every five (5) years.**
 - b. **Alternative Systems – Evidence shall be provided yearly.**

2. **Change of ownership inspection.** The inspection required at the time of sale, as indicated in Section 500.310.A, shall be considered to meet the requirements of the maintenance affidavit if the inspection is approved and no modifications to the private sewage disposal system are required for it to properly operate.

3. **New, modified, and repaired systems.** Private sewage disposal systems that are newly installed, modified, or repaired, and the work was completed under permit with St. Charles County, Missouri and all inspections approved, shall be considered to meet the requirements of the maintenance affidavit.

4. **Notice.** The Division of Building and Code Enforcement shall provide notice to

the owners of Private Sewage Disposal Systems indicating the requirement of an inspection and submittal of a maintenance affidavit. Except where the system is already known to not be properly working, a minimum notice of 90-days shall be provided to the property owner to allow them adequate time to obtain a contractor to complete the inspection to submit the maintenance affidavit.

5. **Maintenance inspection.** Private sewage disposal system owners shall utilize an On-site Wastewater Treatment System Installer licensed with St. Charles County, Missouri to perform a maintenance inspection.
6. **Defect.** Defects discovered during the maintenance inspection shall be corrected including obtaining any required permits and inspections.
7. **Submittal.** If no defects are discovered during the maintenance inspection or after minor repairs are made to correct the system, the On-site Wastewater Treatment System Installer shall submit the maintenance affidavit.
8. **Format.** Evidence and affidavit of maintenance shall be submitted in a format as required by the Building Official.

9. **Fee.** In order to recover the administrative cost associated with this Section, a fee of \$15 dollars shall be charged for each maintenance agreement and be paid at the time of submittal.
10. **Review.** The Building Official or his/her designee shall review all affidavits and approve the submittal based on the provided information. In such case as questions arise to the legitimacy or details related to the private sewage disposal system complying with Federal, State, or local requirements, the Building Official may request access to inspect the system for compliance. The Building Official shall have all remedies allowed by law when access is denied.
11. **Auditing.** The Building Official or his/her designee shall randomly audit the maintenance inspections to ensure the results of the inspection comply with the all Federal, State, and local requirements. Discrepancies in the inspections will be reviewed with the contractor.
12. **Approval.** The following criteria shall be considered to comply with the requirements of this Section and shall result in a subsequent document submitted to the system property address indicating approval and stating the next required maintenance affidavit date:

- a. **Approved newly installed, modified, or repaired systems, completed under permit and with an approved final,**
- b. **Approved change of ownership inspections as required in Section 500.310.A,**
- c. **Approved maintenance affidavits indicating a maintenance inspection was conducted, any minor repairs were made, and no violations of the Private Sewage Disposal Code exist.**

Section 4.

Section 500.520.A OSCCMo., is hereby amended as follows (added text in **bold type**, deleted text in [~~bracketed and stricken type~~]):

Section 500.520 Notices of Unsafe Structure, Declarations of Nuisance, Orders to Repair or Demolish, Abatement, Notice, Hearing and Appeal.

A. *Notice of Unsafe Structure.* If an unsafe condition as defined by the Property Maintenance Code of St. Charles County is found in a building or structure, the Director of the St. Charles County Division of Building and Code Enforcement (hereafter "Code Official") shall prepare and issue a Notice of Unsafe Structure. For purposes of this Section, an unsafe condition may also include:

- 1. Failure to repair [~~and restore to use~~] **or demolish** any structure that is damaged by

fire or by flood [~~or by any other natural disaster~~] within [~~one (1) year~~] **three (3) months** of such damage; or,

2. Failure to repair [~~and restore to use~~] or **demolish** any structure **having been issued** [~~under~~] a notice of violation and [~~condemnation——issued~~] **deemed uninhabitable** pursuant to the Property Maintenance Code of St. Charles County within [~~one (1) year~~] **three (3) months** of the date of such notice.

* * *

Section 5. Section 500.600.A OSCCMo., is hereby amended as follows (added text in **bold type**, deleted text in [~~bracketed and stricken type~~):

Section 500.600 Mobile or Manufactured Homes – Installation and Tie-Down – Maintenance – Alteration – Damage – Adoption By Reference of Federal and State Regulations – Violations.

- A. Installation And Tie-Down—[~~As Required By Applicable State Regulations~~]. An owner or occupant of a mobile or manufactured home shall ensure that it is installed and tied down **by an installer with a valid manufactured housing installer license issued by the State of Missouri and that the installation and tie-down is performed in compliance with** [~~as required by~~] the applicable regulations promulgated by the Public Service Commission of the State of Missouri.

Section 6. Section 500.880 OSCCMo, is hereby amended as follows (added text in **bold type**, deleted text in [~~bracketed and stricken type~~]):

Section 500.880 Meetings.

- A. The Building Commission shall meet regularly at least [~~quarterly~~] **once per year** for the purpose of the transaction of its business and meet specially as needed. It shall keep a public record of its resolutions, transactions, findings and recommendations.
- B. Place. The Commission may meet at any public place within St. Charles County, but will normally meet in one (1) of the County owned facilities.
- C. Time. The Commission shall hold meetings at such times as its deems necessary in order to exercise its powers and duties.

Section 7. This ordinance is subject to penalty provisions for its violation and therefore, for penal purposes, it shall be effective thirty-one (31) days after its publication.

DATE PASSED

DATE APPROVED BY COUNTY EXECUTIVE

CHAIR OF THE COUNCIL

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR