

**TITLE V PUBLIC ORDER, SAFETY AND HEALTH**

**CHAPTER 6 PROCEDURES FOR ADOPTION OF WASTEWATER MANAGEMENT DISTRICTS**

5-6-1	Purpose	5-6-3	Procedures
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5-6-1 PURPOSE. The purpose of this Ordinance is to establish substantive and procedural rules for the adoption and implementation of site specific wastewater management district ordinances which will provide for the proper design, installation, maintenance, operation and compliance of all existing and future on-site wastewater treatment systems within the various waste water management districts in order to protect the public health, water quality and environment.

5-6-2 AUTHORITY. It is the finding of the Clinton County Board of Supervisors that the authority for the establishment of site specific wastewater management district ordinances is found in Chapters 137 and 331, Code of Iowa, and Section 567-15d of the Iowa Administrative Code.

5-6-3 PROCEDURES. The Board of Supervisors shall substantially comply with the following procedures in the adoption of site specific wastewater management district ordinances.

1. State Code and local rules regarding adoption of ordinances shall apply, except as augmented by these procedures.

2. A Public Hearing shall be held before the Clinton County Board of health to consider passage of a site specific wastewater management district ordinance when any of the following conditions are present:

a. The total number of lots in a new subdivision or area is greater than five (5), unless the smallest lot in the new subdivision is larger than two (2) acres, which shall not include street or road right-of-way.

When calculating the total number of lots, all subdivisions adjacent to the proposed subdivision shall be included in the calculation but shall not be included in the waste water management district, or

b. The new subdivision is located within 200 feet of navigable lakes, rivers, and streams or

c. When voluntarily requested by a subdivider or by 10 or more eligible residents of a proposed waste water management district

d. The Notice of Public Hearing, in addition to that required at 331.302 Code of Iowa, shall:

(1) Include publication of a legal notice in a newspaper of general circulation containing a brief summary of the proposed ordinance and the benefited areas; and

(2) Notice sent by ordinary mail to the owners of record of real property within and within 500 feet of the proposed waste water management district.

3. During said Public Hearing, the Board of Health shall consider the need for a wastewater management district ordinance and whether such an ordinance would better provide for specialized control of on-site wastewater treatment and disposal systems located in certain problem areas or intensive development areas. In deliberating the proposed ordinance, the Board shall, where applicable, duly consider the following:

- a. Percolation rate of the soil as determined by a preliminary engineering report.
- b. The adjoining property owners and distance to boundary.
- c. Soil type which indicates severe limitations for septic tank absorption fields, including depth to rock and seasonally high ground water.
- d. Topography
- e. Subsurface conditions
- f. Size and number of lots
- g. Water is supplied by private or public source
- h. Bedrock
- i. Wastewater disposal method
- j. Groundwater
- k. Distance to surface water
- l. Voluntary request by subdivider

4. Upon conclusion of the hearing, the Board of health shall make their recommendation to the Board of Supervisors. Within 30 days, the Board of Supervisors shall hold a Public Hearing on the proposed site specific wastewater management ordinance, as required by Chapter 331.302,

Code of Iowa

5. Upon adoption of a site specific wastewater management district ordinance, a certified copy of the ordinance and associated resolutions shall be files in the office of the Clinton County Recorder. Cost of recording shall be borne by the applicant.

5-6-4 CONTENTS OF DISTRICT ORDINANCE. A site specific wastewater management district ordinance shall contain the following:

1. General description of the area including the reasons for its adoption and in the case of a new subdivision, the development sequencing.
2. A map showing the general location of the district in relation to the rest of the county.
3. Plat and legal description of the proposed Waste Water Management District.
4. A schedule of fees on a per lot per year basis to be paid by the owner or zoning compliance certificate applicant.
5. All provisions necessary for the establishment, administration, and management of the district ordinance.

(Ord. 97-02, Passed July 9, 1997)