

Time of Transfer Procedures

Mills County, Iowa

What type of transfers require a septic tank inspection?

This ordinance applies to any transfer of an interest in real estate subject to the transfer tax imposed by Chapter 428A, Code of Iowa. In addition, any executory (real estate) contract for the sale of land under which the vendee is entitled to or does take possession thereof shall be subject to the septic tank inspection requirements of this ordinance. Any transfer in fulfillment of such an executory (real estate) contract shall not be subject to the inspection requirements of this ordinance.

Are there any other exemptions?

Any septic system which was installed under county permit or which passed county inspection within two years previous to property transfer are exempt from further inspection until the next property transfer. (Inspections may still be conducted if requested.)

What should be the first step I take?

If you have records of your septic system compare them to the minimum requirements listed below:

Tank Requirements:

- Tanks must be constructed of cement or plastic, no steel tanks are allowed.
 - Tank size is based on the number of bedrooms the home has:

3 bedrooms – 1,000 gallons	5 bedrooms – 1,500 gallons
4 bedrooms – 1,250 gallons	6 bedrooms – 1,750 gallons
- ***If home has a water softener, garbage disposal or whirlpool tub, 250 gallons must be added to the tank size. (250 gallons is only added one time, not once for each fixture.)

Lateral Requirements:

- Many soils in Mills County have a percolation (perc) rate between 6 and 15 minutes per inch. Because of this we use this perc rate as a guide. Based on this the requirements are as follows:

2 bedrooms – 200 feet	5 bedrooms – 500 feet
3 bedrooms – 300 feet	6 bedrooms – 600 feet
4 bedrooms – 400 feet	
- ***This estimate is only used if there is not a perc test for this site on file. If a perc test has been completed those results will be used to determine sizing.

Space Requirements:

<u>SEPARATION DISTANCES TO</u>	<u>MINIMUM-TANK</u>	<u>MINIMUM-LATERALS</u>
Private water supply well	50'	100'
Deep Public water supply well	200'	200'
Shallow Public water supply well	400'	400'
Groundwater heat pump borehole	50'	100'
Lake or reservoir	50'	100'
Stream or pond	25'	25'
Edge of drainage ditch	10'	10'
Dwelling or other structure	10'	10'
Property lines	10'	10'
Other type of subsurface treatment system	5'	10'
Water lines under pressure	10'	10'
Suction water line	50'	100'
Foundation drain or subsurface tiles	10'	10'

What if I don't have records of the system?

If the system was installed in 1987 or after the Department of Public Health may have records. Please provide the name of the installer and the homeowner at the time of construction if known. The Department will then search for those records and reports the findings to you.

What if the records show that my system doesn't meet these requirements?

Whatever portion of the system doesn't meet code will have to be brought up to code and will require a septic permit. The responsibility for who brings the system up to code is negotiable between the buyer and seller. A written notification needs to be sent to the Department of Public Health informing us of who the responsible party is so that we can coordinate the process.

***If you know that either your tank or lateral field will not meet code the Department will still want to inspect them. The purpose of this is to determine if either can be used when your system is brought up to code. (Example: If your lateral field is under sized you may be able to add to the existing lateral instead of completely replacing it.)

What if the records show that my system is up to code?

If the records show that the system meets current code we will still need to complete an inspection. This inspection will involve:

- Inspection of the tank and possible pumping (see above exception).
- The lateral field will be walked to determine if any surface failure has occurred.

***Unearthing of the distribution box will not be required, unless a surface failure has occurred. Then a simple change in the distribution box may fix the problem.

What if there are no records of my system but I believe it is up to code?

1. You will need to have a DNR certified tank pumper pump the septic tank.
***This pumping may be waived if the septic tank has been pumped within 3 years and documentation is available.
2. The tank may need to be uncovered so that an adequate inspection can be made of its condition.
*** Most likely, this will only be necessary if the risers on the tank are not at least 18” in diameter. This may also be the case if there is only one riser and it is impossible to observe both compartments through that opening.
3. The distribution box must be unearthed to verify the amount of laterals installed. If no distribution box can be found it is assumed that there are not sufficient laterals to meet code
4. Call our office to schedule the inspection to occur during pumping and unearthing, or soon after.

Who is responsible for arranging the inspection and getting any repairs made?

The seller is responsible for arranging the septic inspection. The responsibility for repairs is negotiable between the buyer and seller. Once an agreement has been made the Department requires a written Notification of Responsibility stating which party will be responsible. A copy of this form is available from our office or can be found on the county website at www.millscoia.us in the county forms section.

What will this inspection cost?

The tank pumper will bill separately for his work, as well as anyone who might be needed to unearth the tank or distribution box. The Department’s current fee is \$150.

***If repairs are deemed necessary through the inspection the \$150 fee is applied to the normal septic permit fee of \$200. This means only an additional \$50 will be charged for the permit.

If you have further questions see the following addresses/numbers:

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