



Exhibit A

**Resolution 23-086
Amendment to Resolution 601-MM**

Point of Sale Program Policy
Carroll County General Health District
Environmental Services
September 20, 2023

The goal of this policy is to use the inspection as a tool to educate parties on their sewage treatment system (STS) and their contribution to personal and public health. This policy is also used to provide operation and maintenance management of STS in Carroll County. This program is designed to:

1. Protect the buyer during a real estate transaction when determining if STS is functioning properly.
 2. Protect ground and surface water by monitoring existing STS in the county and abating any nuisances found as defined in the Ohio Revised Code (ORC) 3701.01, 3709.21, 3718.011 and the Ohio Administrative Code (OAC) 3701-29.
 3. Promote education concerning STS including components, function, recommended repairs or upgrades, and operation and maintenance.
 4. Maintain complete and accurate records of STS in Carroll County.
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- A. An evaluation of a STS must be completed prior to or during the transfer of ownership of any parcel regardless of type of financial transaction (which includes but is not limited to, for sale by owner, cash, loans, and gift transfers) with a STS unless a waiver is submitted and approved by CCGHD. The evaluation must be conducted by a registered environmental health specialist or environmental health specialist in training of the CCGHD.
 - B. A waiver may be submitted if the home has been vacant for a length of time established by CCGHD. If the home has been vacant an evaluation of the STS may show the system is functioning without any issue due to being at rest, however once the home is occupied then a failure may become evident. To determine a STS's functionality it is best to test when it has been under normal use. The buyer and seller may agree to submit the waiver application and appropriate fee(s) for the STS evaluation to the CCGHD prior to the transfer of property. It will then be the buyer's responsibility to contact the CCGHD once the property is occupied, to schedule the

inspection within a timeframe set by CCGHD. Any deficiencies with the STS or plumbing must be corrected in accordance with all applicable regulations and is the responsibility of the buyer.

- C. The following are exempt from the requirements listed above:
1. **All transfers and partitions of real property under order of a court of competent jurisdiction, including but not limited to foreclosure sales, probate sales, and divorce decrees.**
 2. **Transfers from a sole owner to a survivorship when transferor is also one of the survivor transferees, and where no valuable consideration is paid at the time of the transfer.**
 3. **Transfers from a survivorship instrument/joint tenancy to one or both survivors so long as a non-party transferee is not added to the deed, and so long as no valuable consideration is paid at the time of the transfer.**
 4. **Transfers to one or more of the beneficiaries on a Transfer on Death (T.O.D.) deed, and so long as no valuable consideration is paid at the time of transfer.**
 5. **Transfers to a trust, when the transferor is the beneficiary of that trust, and so long as no valuable consideration is paid at the time of the transfer.**
 6. **Transfers from a trust to the remaining beneficiaries, when requirements in paragraph "#5" are met, and so long as no valuable consideration is paid at the time of the transfer.**
 7. **Transfers by and between spouses, as a result of death of one spouse or otherwise, from or to a survivorship or a tenancy in common, where the spouses are the only parties to the instrument, and so long as no valuable consideration is paid at the time of the transfer.**
 8. **Transfers from a parent to a child or grandchild, where the parent reserves a life estate, and so long as no valuable consideration is paid at the time of the transfer.**
 9. **Transfers made for corrective purposes, so long as the transfer inspection was completed before the time of the original transfer, or original transfer was exempt by virtue of these exemptions, or if the transfer inspections were not mandated at the time of the original transfer.**

The above exemptions shall not affect the Board of Health's statutory and legal obligation to inspect these systems post-transfer and to assess the fee for said inspection against the assignee of said property pursuant to Ohio Revised Code Sections 3709.09 and 3709.091.

- D.** Application for the evaluation shall be complete and contain all pertinent information as required by the Board of Health. Any fee established for the evaluation by law or by the Board of Health under authority of law shall accompany the application and be submitted to CCGHD prior to scheduling an appointment. Once an evaluation has been conducted, the fee(s) are non-refundable.
1. The CCGHD will not schedule an evaluation if the information on the application is incomplete, inaccurate, and payment has not been received. The individual requesting the evaluation and their real estate agent must sign the application.
 2. One or more of the representatives who sign the application must be present at the property throughout the entire evaluation with the environmental health specialist.

E. Inspection Requirements

1. The inspection of the STS will be conducted to assure compliance with OAC 3701-29.
2. The lids of the STS components must be located, removed, and be easily accessible for the evaluation.
3. The Environmental Health Specialist has discretion to reschedule the evaluation if the determine the evaluation can't be conducted per the standard operating procedures.
4. CCGHD's staff will not enter crawlspaces or confined spaces.
5. Access to the house and any other building(s) connected to the STS must be provided for the evaluation.
6. Septic tanks and other STS components should not be pumped prior to inspection, unless determined necessary by an Environmental Health Specialist.
7. If a water sample is scheduled to be taken for bacteriological analysis as part of the evaluation, and chlorine is present within the water due to recent chlorination, the sample will not be taken. The Environmental Health Specialist will collect the water sample from a point of human consumption.

F. After the Inspection

1. A completed inspection report will expire one calendar year from the date of the inspection.
2. The completed report will be delivered to the individual(s) indicated on the application within a timeframe set by CCGHD.
3. If the STS or plumbing is creating a public health nuisance, orders will be issued to resolve the public health nuisance per OAC 3701-29 and ORC 3718.011, within a timeframe established by CCGHD. Once corrections have been made a re-inspection fee may be assessed.

G. Point-of-sale evaluations and reinspection fees are set by the Board of Health.

H. Any STS which has been altered or installed through a permit with CCGHD within one (1) year of the transfer of ownership will not require a point-of-sale inspection.

Date	Revision
11-19-2008	Initial Point of Sale Resolution 601-MM adopted by BOH
4-29-2015	601-MM amended to change verbiage regarding new OAC 3701-29 rules – BOH adopted change
8-19-2015	601-MM amended to add exemptions and change the evaluation from being valid for 3 years to 1 year – BOH adopted change
4-21-2021	601-MM amended to add inspection requirements, report details, and enforcement – BOH adopted change
9-20-2023	601-MM amended to remove water requirements and removal of information that is now in a Standard Operating Procedure that relates to 601-MM.

W.S. Stine MD
Dr. W.S. Stine, Board President

9/20/2023
Date