

**CARROLL COUNTY GENERAL HEALTH DISTRICT
RESOLUTION 23-086**

A RESOLUTION TO AMEND RESOLUTION 601-MM: POINT OF SALE PROGRAM POLICY

WHEREAS, the Board of Health of the Carroll County General Health District has implemented a real estate transfer program which is now part of the of operation and maintenance program for sewage treatment systems (STS) in Carroll County;

WHEREAS, Ohio Administrative Code Section (OAC) 3701-29 and Ohio Revised Code (ORC) 3709.09, allow for the establishment of fees and regulations for the purpose of administering and enforcing the requirements of OAC Chapter 3701-29;

WHEREAS, the Carroll County Board of Health has adopted rules and fees pertaining to the Point-of-Sale Program;

WHEREAS, the Carroll County Board of Health has determined it necessary to amend the policy due to current operating procedures and clarify sections of the policy.

THEREFORE, BE IT RESOLVED BY THE CARROLL COUNTY BOARD OF HEALTH, STATE OF OHIO, that:

SECTION ONE: the policy for the Point of Sale program be amended in accordance with "EXHIBIT A", attached hereto and made a part hereof as if fully rewritten herein

SECTION TWO: that this Resolution be in effect at the earliest date as provided by law.


1st Reading: September 20, 2023

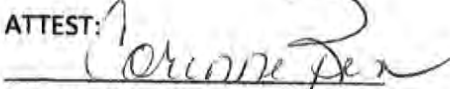
2nd Reading: November 15, 2023

3rd Reading: December 20, 2023

ADOPTED BY THE CARROLL COUNTY BOARD OF HEALTH ON THIS 20th DAY OF

December, 2023.


Dr. W. Scott Stine, President
Carroll County Board of Health

ATTEST: 
Corinne Ren, Clerk



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

Point of Sale Program Policy
Carroll County General Health District
Environmental Services

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

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.