

Subsurface Sewage Treatment Systems (SSTS) – Septic Systems

Disclosure at Time of Sale:

A written disclosure stating whether or not a subsurface sewage treatment system (SSTS) is compliant or non-compliant must be provided by the seller to the buyer at or before the time of closing. This written disclosure does not just apply to the sale of property, but it also applies to any type of title transfer as well. The certificate of compliance or non-compliance must be completed by a state licensed septic inspection contractor.

Compliance Inspections:

Compliance inspections will determine if the SSTS is compliant or non-compliant. A compliance inspection for a new or newly replaced SSTS is provided a certificate of compliance from the County that remains valid for five (5) years. A compliance inspection for an existing SSTS is provided a certificate of compliance from a private SSTS inspector which remains valid for three (3) years. A new inspection is not required if a property or title transfers more than once during the respective three (3) or five (5) year time period.

If your system is found to be non-compliant, it is classified as failing and needs to be upgraded or replaced. There are two types of failing systems; (1) imminent health threat and (2) failing to protect groundwater. Systems are considered imminent health threats because (a) they discharge sewage or sewage effluent directly or indirectly to surface waters, (b) sewage backs up into a dwelling or other establishment, (c) there are electrical hazards, or (d) septic tanks with unsecured, damaged or weakened maintenance hole covers. Systems fail to protect groundwater because (a) there is not the required vertical separation distance between the bottom of the drainfield components and the top of the seasonally saturated water table, (b) a system consists of a seepage pit, cesspool, drywell, leaching pit, or other pit, or (c) a system is not abandoned in accordance with the code.

A copy of the certificate of compliance or notice of non-compliance resulting from a compliance inspection shall be provided to the property owner and the Environmental Services Department within 30 days of the inspection. Once the documentation is received, the County will follow up on any notice of non-compliance and require the property owner to upgrade the system in a designated time frame established by State Law or County Ordinance. Imminent health threat systems are required to be upgraded in a faster time frame. The deadline for upgrading an SSTS remains the same no matter how many property or title transfers have occurred during the original compliance inspection upgrade time frame.

The intent of the compliance inspection is to ensure that the buyer is notified of the status of the septic system so they can make an informed decision concerning the purchase of the property AND is used as one mechanism to upgrade systems that are a danger to public health and safety and our precious natural resources.