

# Authorizing Resolution

A RESOLUTION AUTHORIZING THE LUCAS COUNTY REGIONAL HEALTH DISTRICT BOARD IN DETERMINING THE ACCESSIBILITY OF A SANITARY SEWERAGE SYSTEM PER OHIO ADMINISTRATIVE CODE 3701-29-06 (I)(1)(2)

**Whereas, Ohio Administrative Code 3701-29-06 states:**

*(I). A Sewage Treatment System (STS) shall not be sited, permitted, or installed where a sanitary sewerage system is accessible, unless otherwise excepted by law. Whenever a sanitary sewerage system becomes accessible to a dwelling or structure served by a STS, the dwelling and/or structures shall be connected to the sanitary sewerage system and the STS abandoned in accordance with rule [3701-29-21](#) of the Administrative Code.*

*(1) In determining the accessibility of a sanitary sewerage system a board of health may consider the availability of connection, local or state ordinances or rules prohibiting or requiring connection, the technical feasibility of connection, the ability of the sanitary sewerage system and associated treatment facility to accept additional flows, and the distance from the foundation wall of the structure from which sewage originates to the nearest boundary of the right-of-way within which the sewer is located.*

*(2) The board of health shall consult with the appropriate sewer entity personnel as necessary to determine sanitary sewerage accessibility.*

**Whereas, the Lucas County Regional Health District determines sanitary sewerage system availability and accessibility based on the following:**

1. If the foundation of the structure or dwelling is within 200 feet of the road right of way, connection would be required, unless there are any geologic, technical or site conditions that would make a connection not reasonably feasible.
2. If the STS system is discharging, whether or not it is under an NPDES permit, it would be required to tap to the sanitary sewerage system, unless technically not feasible.
3. New construction structures would be required to tap to the sanitary sewerage system when the structure's foundation is within 600 feet of the right of way.
4. Failing sewage treatment systems, serving structures which are more than 200 feet from the right of way, but within 600 feet may be required to tap to the available sanitary sewerage system.
5. An alteration to the existing STS systems due to increases in flow, serving structures which are more than 200 feet from the right of way, but within 600 feet may be required to tap to the available sanitary sewerage system.
6. Evaluation of the available sanitary sewerage system to handle the additional flow and the evaluation of the sanitary line availability to be tapped based on the recommendation of the agency in charge of the sanitary sewerage system.
7. STS abandonment permits and inspections will be required once tapping into the sanitary sewerage system has occurred.
8. A one (1) year time frame will be given for the abandonment of the STS and connection to the sanitary sewerage system from the time the owner receives notification from the board of health that it has determined the sanitary sewerage system is accessible.
9. Appeals of the determination and/or timeline extensions may be requested and will be granted or denied after review by the health commissioner.

**BE IT RESOLVED by the Board of Members of the Lucas County Regional Health District to accept the above conditions in determining the accessibility of a sanitary sewerage system in accordance with Ohio Administrative Code 3701-29-06 (I)(1)(2).**

Passed: July 25, 2024

