

SIDNEY-SHELBY COUNTY HEALTH DEPARTMENT

ENVIRONMENTAL HEALTH DIVISION

POLICY AND PROCEDURE

**Title: SEWER CONNECTION POLICY**

Original Adoption Date: 6-14-06

Approved By:

Kent Egg 6-14-06  
Director of Environmental Health Date

Revision Date: N/A

Robert M. Ma 6/14/06  
Health Commissioner Date

Annual Review Date: June

Paul Balyp DM 6-14-06  
Board of Health Date

**PURPOSE:** To define when a 1, 2, or 3 family dwelling is accessible to sanitary sewer and to define the process for ordering a property to connect to such sewer.

**POLICY:** The Sidney-Shelby County Board of Health believes that sanitary sewer is best available technology and should be the first option considered for sewage treatment.

Any **existing** 1, 2, or 3 family dwelling that is **within** 200 feet of a sanitary sewer line that is accessible shall be ordered to abandon their existing home sewage treatment system and connect to the sewer regardless of the condition of the sewage treatment system. For the purpose of this policy, 200 feet is measured from the right-of-way boundary in which the sewer line exists to the foundation of the home. In order to be accessible, the political entity or owner of the sewer line has to allow the sewer connection. Annexation may be required by the city or village to provide sewer services.

Any **proposed new** 1, 2 or 3 family dwelling or **existing** 1, 2 or 3 family dwelling with a **failing** sewage treatment system that is located **beyond** the 200 feet distance must connect to sewer if the proximity of the sanitary sewer line is considered "near" the home as determined by the Sidney-Shelby County Health Department. The sewer connection of proposed new homes and homes with failing sewage treatment systems beyond the 200 feet distance will be handled on a case by case basis.

Economic feasibility will be one of the factors considered when evaluating sewer connection accessibility for any home. Sewer connection may be deemed not feasible if the cost of the sewer connection is more than 3 times the average cost of an on-lot sewage treatment system.

**PROCEDURE:** The Sidney-Shelby County Board of Health will issue a sewer connection order to the owner of any existing home that meets the conditions of the sewer connection policy unless the home is within the City of Sidney. If the home is within the City of Sidney, the City will issue these orders per section 913.06 of the Sidney Code of Ordinances. Any home within 200 feet of the right-of-way line in which a sanitary sewer line exists or any home with a known failing sewage treatment system that is accessible to sanitary sewer must connect to sewer within 90 days. Any vacant or new home that is deemed accessible to sanitary sewer must remain vacant until connected to sewer. An appeal to a sewer connection order can be made by the owner of the home and shall be in writing and addressed to the Sidney-Shelby Board of Health within 30 days of receiving the order.

**RELATED RESOURCES:** May 1, 2006 and July 26, 2005 Shelby County Prosecutor legal opinion letters; 1984 DeMoise v. Dowell Ohio Supreme Court case; Ohio Administrative Code section 3701-29; Clark v. Greene County Combined Health District Ohio Supreme Court case.

**PERFORMED BY:** Board of Health, Health Commissioner, Director of Environmental Health and Environmental Health Division Registered Sanitarians.