

**Guthrie County, Iowa  
Ordinance No. 2**

**Section 1 Title**

Lake Panorama On-Site Wastewater Management District Ordinance

**Section 2 Application of Ordinance**

The procedure in this Ordinance shall be used by the Board of Supervisors of Guthrie County, Iowa for the establishment and operation of on-site wastewater management districts in this County.

**Section 3 Purpose**

The purposes of this Ordinance are:

- a. To insure the proper operation of all existing and future on-site wastewater treatment systems in order to protect the public health, water quality, and the environment.
- b. To allow for the use of the more high maintenance, innovative, or alternative on-site wastewater treatment systems where conventional on-site systems are not appropriate.

**Section 4 Definitions**

“On-site wastewater treatment systems” means any works or facilities used to collect, treat, reclaim, or dispose of domestic wastewater on site from individual dwellings or buildings or a cluster of two or more dwellings or buildings.

“Conventional wastewater treatment system” means any septic tank with a non-pressurized subsurface soil absorption field or bed.

**Section 5 District Boundaries**

The on-site wastewater management district will be responsible for the supervision and approval of the design, construction, repair, operation, and maintenance of all on-site wastewater treatment systems within the Lake Panorama Development.

**Section 6 Extension of District Boundaries**

The boundaries of the on-site wastewater management district established on passage of this Ordinance may be extended by amending **Section 5**. An extension need not be contiguous to the existing District.

**Section 7 Administration**

Upon establishment of the District, the County Board of Health shall assume the powers and duties provided under this Ordinance. The County Board of Health shall appoint a five member Administrative Committee (three of which shall be selected by the Lake Panorama Association Board of Directors). The Administrative Committee shall

operate the District within the Board of Health guidelines. The County Sanitarian shall serve as secretary to the Administrative Committee.

#### **Section 8 Management Program**

- a. The administration shall develop a detailed management program for the District.
- b. The administration shall also develop reasonable rules and regulations necessary to implement the purposes of the Ordinance.
- c. The adoption of the management program and the rules and regulations shall be by resolution of the County Board of Supervisors.

#### **Section 9 Powers and Duties**

- a. Collect, treat, reclaim, and dispose of wastewater without degrading the water quality within or outside of the District.
- b. Acquire, design, own, construct, install, operate, monitor, inspect, and maintain on-site wastewater treatment systems within the District in a manner which will protect public health, promote water quality, prevent pollution, and abate nuisances.
- c. Employ and terminate the employment of those employees necessary to operate and maintain the detailed management plan, and contract with any firm or agency to perform necessary services.
- d. Incur indebtedness and impose and collect assessments for improvements where appropriate, as provided by State law, to implement the purposes of this Ordinance.

#### **Section 10 Inspections**

The administration's authorized representative may, with the consent of the owner or occupant, enter any premises in the District on which a wastewater treatment system is located for the purpose of inspection of the system, securing samples or records, or making repairs. If the owner or occupant refuses admittance thereto, or if prior to such refusal, the authorized representative demonstrates the necessity for a warrant, the authorized representative may make application under oath or affirmation, to the District Court for issuance of a search warrant.

#### **Section 11 Costs**

The administration may establish a service fee schedule to recover the operating and administrative costs of the District. Failure to pay a service fee when due shall create a lien against the property as provided by State law.

#### **Section 12 Enforcement**

A violation of a rule adopted pursuant to **Section 8** of this Ordinance shall constitute a simple misdemeanor.

#### **Section 13 Severability Clause**

If any section, provision, or part of this Ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**Section 14** When effective

This Ordinance shall be effective after its final passage, approval, and publication as provided by law.

This Ordinance was adopted by the Guthrie County Board of Supervisors and became effect on October 14, 1980.