

ORDINANCE NO. 310

AN ORDINANCE REGULATING THE INSTALLATION, CONSTRUCTION, ALTERATION, EXTENSION AND REPAIR OF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS: REQUIRING PERMITS FOR, AND LICENSING OF PERSONS ENGAGED IN THE CONSTRUCTION THEREOF: PROVIDING FOR INSPECTION, DESCRIBING PENALTIES AND REPEALING ALL PRIOR ORDINANCES WHICH MAY PERTAIN TO A OR CONFLICT WITH ANY PROVISIONS OF THIS ORDINANCE OF THE TOWNSHIP OF EMPIRE.

The Town Board of the Township of Empire, Dakota County, Minnesota, ordains as follows:

Section 1. DEFINITIONS

The following definitions shall apply in the interpretation and enforcement of this Ordinance.

SEWAGE: Sewage is any water-carried domestic waste, exclusive of footings and roof drainage, of any residence, industry or commercial establishment, whether treated or untreated, and includes the liquid wastes produced by bathing, laundry and culinary operation, and from toilets and floor drains. Raw sewage is sewage which has not been subjected to any treatment process.

INDIVIDUAL SEWAGE DISPOSAL SYSTEM: An individual sewage disposal system is a sewage disposal system other than a public or community system which receives sewage from an individual establishment. Unless otherwise specified the word "system" as it appears in this Ordinance means "individual sewage disposal system."

BUILDING DRAIN: The building drain is that part of the horizontal piping of a building drainage system which receives the discharge from all other soil, waste and drainage pipes inside the walls of any building and conveys the same to the building sewer.

BUILDING SEWER: The building sewer is that part of the horizontal portion of the building drainage system extending from the building drain to its connection with the septic tank and carrying the sewage of but one building.

TOWN: The term "Town" means the Township of Empire, Dakota County, Minnesota.

BOARD: The word "Board" means the Town Board of the Township of Empire.

CLERK: The word "Clerk" means the Clerk of Empire Township.

INSPECTION: The word "inspection" means the building inspector employed or engaged by the Board and assigned responsibility for administration of this Ordinance.

Section 2. PERMIT

No person, firm or corporation shall install, alter or extend any individual sewage disposal system in the Town without first obtaining a permit therefore from the Inspector for the specific installation, alteration, or extension. On new construction, sewage system plans must accompany building plans for the structures.

At the time of applying for said permit, the applicant shall pay a ten and no/.100 (\$20.00) Dollar fee for said permit.

- A. Such permits shall be valid for a period of six months from date of issue.
- B. Applications for permits shall be made in writing upon printed blanks or forms furnished by the Town and shall be signed by the applicant.
- C. Each application for a permit shall have thereon the correct address of the property on which the proposed installation, alteration, or extension is to take place, and each application for a permit shall be accompanied by a plot plan drawn to scale of the land showing the location of any proposed or existing buildings located on the property with respect to the boundary lines of the property and complete plans of the proposed system with substantiating data, if necessary, attesting to the compliance with the minimum standard of this Ordinance. A complete plan shall include the location, size and design of all parts of the system to be installed, altered, or extended. The application shall also show the present or proposed location of water supply facilities and water supply piping for both the applicant's property and adjacent properties, and the name of the person, firm or corporation who is to install the system, and shall provide such further information as may be required by the Inspector.
- D. Any person, firm or corporation who shall commence the installation of any sewage disposal system, or do any act for which a permit is required by this Ordinance, without first having obtained such permit, shall pay the fees prescribed herein, in addition to being subject to other penalties prescribed herein.

Section 3. ADMINISTRATION

The Board shall assign responsibility for administration of this Ordinance to a qualified inspector.

Section 4. CONSTRUCTION REQUIREMENTS

All individual sewage disposal systems installed subsequent to the adoption of this Ordinance shall be regulated in accordance with all of the requirements of this section. Existing systems which do not meet the requirements of this section may be repaired or extended if the repair or extension does not bring the disposal system any closer than 50 feet to any existing water supply well, or in any other way increases the health hazard.

A. GENERAL

- 1. Location and installation of the individual sewage disposal system and each part thereof shall be such that, with reasonable maintenance, it will function in a sanitary manner and will not create a nuisance nor endanger the safety of any domestic water

- supply. In determining a suitable location for the system, consideration shall be given to the size and shape of the lot, slope or natural and finished grade, soil permeability, depth of ground water, geology, proximity to existing or future water supplies, accessibility for maintenance and possible expansion of the system.
2. No part of the system shall be located so that it is nearer to any water supply than outlined hereinafter, or so that surface drainage from its location may reach any domestic water supply.
 3. Raw sewage, septic tank effluent, or seepage from a soil absorption system shall not be discharged to the ground surface, abandoned wells or bodies of surface water, or into any rock formation the structure of which is not conducive to purification of water by filtration, or into any well or other excavation in the ground which does not comply with all the requirements of this Ordinance. This requirement shall not apply to the disposal of sewage in accordance with a process approved by the State Board of Health or the Water Pollution Control Commission.
 4. Installations of individual sewage disposal systems shall not be made in low swampy areas or areas which may be subject to flooding.
 5. Before any part of a building sewer or sewage disposal system is installed, the lot or parcel of land shall be graded to within six inches of its finished grade. A record shall be kept showing the depth of fill over solid ground. If fill material is to be placed over any part of the area to be utilized for the absorption field or within 10 feet thereof, to a depth of 18 inches or more, it shall be done as follows:
 - (a) Porous material only shall be placed over the absorption field area for a distance of 10 feet beyond the end of the laterals.
 - (b) For a distance of 10 feet beyond the porous fill, impervious material shall be placed and compacted in such a manner as to prevent leaking at the top of the slope.
 - (c) If the disposal field system is to be installed within 6 months of completion of the filling operation, then the fill shall be placed in the 6 in. layers and compacted in such a manner
 - (d) Trench bottom areas shall be determined from the percolation rate of the original soil.
 6. In areas with a high ground-water table the final disposal unit shall be a tile field. The bottom of the tile shall be not less than 4 feet above the highest known or calculated water table.
 7. Bulldozers, trucks or other heavy machinery shall not be driven over the system after installation. Use of the area over the soil absorption system for the parking of vehicles shall be prohibited.
 8. The system or systems shall be designed to receive all sewage from the dwelling, building or other establishment served, including laundry waste and basement floor drainage. Footing or roof drainage shall not enter any part of the system. Where the construction of additional bedrooms, the installation of mechanical equipment, or other factors likely to affect the operation of the system can be reasonably anticipated, the installation of a system adequate for such anticipated need shall be required.

9. Individual sewage disposal systems for single family residences shall consist of a building sewer and a soil absorption unit. The soil absorption unit shall consist of a sub-surface disposal field or one or more seepage pits, or a combination of the two. All sewage shall be treated in the septic tank and the septic tank effluent shall be discharged to the disposal field or seepage pits. Where unusual conditions exist, other systems of disposal may be employed, provided that they comply with all other provisions of this Code and are approved by the Inspector and Board. Any on site sewage disposal system for two family dwellings shall be designed in accordance with the recommendations of the Township Engineer as approved by the Town Board.
10. The Inspection Department may waive the requirements of percolation test as outlined herein, on repairs, alterations or extensions of existing systems, or on new installations in the event that percolation tests conducted on adjacent properties satisfactorily establish proper soil permeability for the area.
11. Percolation tests, soil tests and test borings shall be conducted as outlined in this section by a building inspector or by a person or firm approved by the Town Board, and data of such tests shall be submitted to the Inspector for approval prior to issuance of a sewage disposal and/or building permit.
12. The Inspector shall recommend to the Town Board that an application to construct an individual sewage disposal system be rejected on premises where the construction cannot meet the requirements of this Ordinance.
13. No system of sewage disposal for a public building shall be installed, materially altered or extended by any person, firm or corporation until complete plans and specifications for the sewage disposal installation or alteration have been made, together with such other information as may be required by the Inspector, all in duplicate, and the approval of said plans and specifications has been secured from the State Board of Health.

B. SEWER CONSTRUCTION

1. No buried or concealed portion of the building sewer, or building drain or branch thereof serving any establishment shall be located less than 20 feet from any water-supply, well or buried water suction line. The buried or concealed portion of any building sewer, building drain or branches thereof located less than 50 feet from any well or buried water suction line shall be constructed of extra-heavy cast-iron soil pipe with joints which are air tested and caulked with lead or other caulking material approved by the Township Engineer. The air test shall be made by attaching an air compressor or test apparatus to a suitable opening and closing all over inlets and outlets to the sewer and/or drain under test by means of proper testing plugs. Air shall be forced into the system until there is a uniform pressure of five pounds per square inch in the section being tested. The system shall be considered satisfactorily air tested if the pressure therein remains constant for 15 minutes without the addition of air.
2. The portions of any buried sewer more than 50 feet from a well or buried suction line shall be of adequate size and constructed of cast-iron, vitrified-clay tile or cement-asbestos pipe. Clay pipe and clay pipe fitting shall conform to A.S.T.M. specifications for standard strength or extra strength clay pipe and clay pipe fittings.

No building drain or building sewer shall be less than four inches in diameter. Mortar shall not be used in sewer joints. Preformed plastic rings, hot-our bituminous, and asphaltic compounds are considered satisfactory joint material.

3. Construction of the line shall be such as to secure water-tight and roof-tight joints, free of obstructions, and shall provide a grad of not less than 1/8 inch per foot. The 10 feet of sewer immediately preceding the septic tank shall not slope more than ¼ inch per foot. No 90° wells shall be permitted and where the direction of the sewer is changed in excess of 22 1/2°, accessible cleanouts shall be provided.
4. Provisions should be made on all new construction for future public sewer connection so that the building drain can connect with the building sewer at the front or side of the building closest to the street.

C. SEPTIC TANKS

1. The location of the septic tanks shall be such as to provide not less than the state distances from the following:
 - (a) Property lines and buried pipe distribution water under pressure – 10 feet.
 - (b) any source of domestic water supply or buried water suction lines, lake, streams or other bodies of water – 50 feet.
 - (c) Occupied buildings and building foundations – 50 feet.
2. Each single family residences shall be equipped with one septic tank. The septic tank shall be no less than 1,000 gallon capacity. Irrespective of size, the tank in the sewer line shall be water tight. The septic tank shall be constructed of poured reinforced concrete, septic tank blocks, or steel. Steel septic tanks shall comply with Commercial Standard 177-62 of the U. S. Department of Commerce. No septic tanks shall be constructed of concrete blocks or other porous or water absorbing material. Where water tables are encountered and any portion of the septic tank would be less than two feet above the highest water table, the tank shall be cast as a reinforced integral concrete unit and be water tight.
3. The liquid depth of any septic tank or compartment thereof shall be not less than 30 inches. A liquid depth greater than 6 ½ feet shall not be considered in determining tank capacity.
4. No tank or compartment thereof shall have an inside horizontal dimension less than 36 inches.
5. Inlet and outlet connections of the tank and of each compartment thereof shall be submerged by means of vented tees or baffled so as to obtain effective retention of scum and sludge.
6. The space in the tank between the liquid surface and the top of the inlet and outlet baffles or submerged pipes shall be not less than 20 per cent of the total required liquid capacity, except that in horizontal cylindrical tanks this space shall be not less than 15 per cent of the total required liquid capacity.
7. The inlet baffle or submerged pipe shall extend at least six inches but not more than 20 per cent of the total liquid depth, to the nearest inch, below the liquid surface and at least one inch above the crown of the inlet sewer.

8. The outlet baffle or submerged pipe and the baffles or submerged pipe between compartments shall extend below the liquid surface a distance equal to 40 per cent, to the nearest inch, of the liquid depth except that the penetration of the indicated baffles or submerged pipes for horizontal cylindrical tanks shall be 35 per cent, to the nearest inch, of the total liquid depth. They also shall extend above the liquid surface to provide for scum storage as required in item C-6 above. In no case shall they extend less than six inches above the liquid surface.
9. There shall be at least one inch between the underside of the top of the tank and the highest point of the inlet and outlet devices and partitions so as to provide the required ventilation of the system through the main building stack.
10. The inlet invert shall be not less than two inches above the outlet invert.
11. Construction of the tank shall be such as to assure its being water tight and to prevent the entrance of rainwater, surface drainage or ground water.
12. The top of the tank or manhole shall not be less than eight inches below the surface of the finished grade.
13. Adequate access to each compartment of the tank for inspection and sludge removal shall be provided by a manhole or removable cover and by a cleanout pipe of not less than six inch diameter extending through the cover to a point above the tank not more than six inches below finished ground level. The point at which the clean-out pipe passes through the cover shall be so located that a downward projection of the pipe clears the inlet and outlet device by not less than two inches. The top of the clean-out pipe shall be provided with a readily removable water tight cap and its location shall be marked by stake or other means at the ground surface. The inlet device shall be made accessible by either the removable cover or the manhole or by the addition of properly placed hand holes. Covers of tank should be removed before pumping so as to clean out sludge.

D. SUBSURFACE DISPOSAL FIELD

1. Location of the disposal field shall be in an unobstructed and preferably unshaded area, and the distances given below shall be the minimum horizontal separations between the disposal field and the following:
 - (a) any water supply well – 50 feet
 - (b) Lakes, streams or other bodies of water – 50 feet
 - (c) Occupied buildings and building foundations – 15 feet.
 - (d) Property lines – 10 feet.
2. when coarse soil formations are encountered, the 50 foot distance specified in Items D-1 (a) and (b) shall be increased appropriately.
3. A concrete distribution box with removable cover and of sufficient size to accommodate the necessary tile field lateral lines shall be constructed at the head of each disposal field.
 - (a) Each tile field lateral line shall be connected separately to the distribution box and shall not be subdivided.
 - (b) The inverts of all outlets shall be at the same elevation and the inlet invert shall be at least one inch above the outlet inverts.

- (c) The outlet inverts shall be at least four inches above the distributing box floor for the purpose of securing equal distribution of the septic tank effluent to each tile lateral.
 - (d) In the event that septic effluent is delivered to the distribution box by pump or siphon, a baffle wall shall be installed in the distribution box. The baffle shall be secured to the bottom of the box and shall extend vertically to a point at least level with the crown of the inlet pipe. The plane surface of the baffle shall be perpendicular to the inlet flow line.
 - (e) Where the slope of the ground surface does not exceed six inches in any direction within the area utilized for the absorption field through a system of interconnected tile lines and trenches in a continuous system. The bottom of the trenches and distribution lines shall be constructed on a relatively level grade, not to exceed six inches difference in elevation.
 - (f) Where the slope of the ground surface exceeds six inches in any direction within the area utilized for the absorption field, serial distribution may be used. The bottom of the trenches and distribution lines shall be constructed on a relatively level grade. The distribution tile system shall be arranged so that each trench shall be filled with septic tank effluent before effluent flows to succeeding trenches. The invert of the overflow pipe in the first relief line shall be at least four inches lower than the invert of the septic tank outlet.
4. Minimum seepage area of the disposal field (total flat area of trench bottom exclusive of sidewall area) shall be determined by the following percolations test procedure as applies to Table 1. Said percolation test procedure shall be performed by a qualified firm or person approved by the Town Board. A written report shall be filed with the Building Inspector prior to commencement of work on the job. The said test report shall comply with all requirements set forth herein unless a requirement or requirements are waived in writing by the Building Inspector. The Building Inspector may waive requirements of this section in accordance with Section A, Subdivision 10 herein.
- (a) Number and location of tests. Two or more tests shall be made in separate test holes spaced uniformly over the proposed absorption field site.
 - (b) Type of test hole: A hole with horizontal dimensions of four to 12 inches and vertical sides shall be dug or bored to the depth of the proposed absorption trench. The holes may be bored with an auger of not less than four-inch diameter.
 - (c) Preparation of test hole: The bottom and sides of the hole shall be carefully scratched with a knife blade or sharp pointed instrument to remove any smeared soil surfaces and to provide a natural soil interface into which water may percolate. All loose material shall be removed from the hole and two inches of coarse sand or fine gravel shall be added to protect the bottom from scouring.
 - (d) Saturation and setting of the soil. The hole shall be carefully filled with clear water to a minimum depth of 12 inches over the gravel. Water shall be kept in the hole for at least four hours. In sandy soils containing little or no clay, the swelling procedure shall not be required and the test may be made as

described under Item D-4 (e) (3) after the water from one filling of the hole has completely seeped away.

- (1) From a fixed reference point the drop in water level shall be measured over a 30 minute period. This drop shall be used to calculate the percolation rate.
- (2) The drop that occurs during the final 30 minute period shall be used to calculate the percolation rate.
- (3) In sandy soils or other soils in which the first six inches of water seeps away in less than 30 minutes, the time interval between measurements shall be taken as 10 minutes and the test shall be run for one hour. The drop that occurs during the final 10 minutes shall be used to calculate the percolation rate.

TABLE 1

(Per Bedroom Column Provides for Residential Garbage Grinders and Automatic Sequence Washing Machines)

Percolation rate (time required for water to fall one inch, in minutes)	Required absorption area in square feet standard trench ¹ per bedroom ²
I	II
1 or less	70
2	85
3	100
4	115
5	125
10	165
15	190
30	250
45	300
60 ³	330

¹Absorption area for standard trenches is figured as trench bottom areas.

²In every case sufficient area should be provided for at least two bedrooms.

³Unsuitable for absorption systems if over 60.

5. Additional criteria for judging soil suitability.

- (a) In areas of shallow ground water, the depth of the water table shall be determined by a test boring. The depth of such test boring shall be a minimum of 6 ½ feet below the proposed elevation of the basement floor of the building for which the sewage system is to serve. No soil absorption system shall be installed in an area where the water table is at any time less than six feet below the ground level or four feet below the bottom of the drain-field tile. Soil absorption systems installed areas where impermeable layers are found at depths of less than 6 ½ feet shall be considered to be of special design.
- (b) A modification of the percolation test may be used where the percolation test procedure has been previously used and knowledge is available on the character and uniformity of the soil from the U. S. Soil Conservation Service at Farmington, Minnesota.

6. Construction of disposal trenches.

- (a) all trenches in a disposal field shall be constructed in accordance with the following standards.
 - (1) Minimum of lines per field – 2.
 - (2) Maximum length of individual lines – 100 feet.
 - (3) Minimum bottom width of trench – 18 inches.
 - (4) Minimum depth of dirt cover over stone field of tile lines -- 8 to 12 inches.
 - (5) Maximum depth of dirt cover over stone field of tile lines – 18 inches.
 - (6) Maximum uniform grade of tile line – 6 inches per 100 feet
 - (7) Size and spacing of trenches – conform to Table 2.
 - (8) Minimum filter material under tile – 12 inches
 - (9) Minimum filter material over tile – 4 inches.

Absorption trenches or beds wider than 30 inches shall be provided with multiple distribution tile lines spaced not more than 36 inches nor less than 18 inches on center, and not more than 18 inches from the side walls of the trench or bed, except that where tile lines are supported on a satisfactory under-drain system these spacings may be increased.

TABLE 2

Size and Minimum Spacing Requirements for Disposal Trenches

Width at bottom in inches	Effective absorption area in square feet per Lineal Feet	Minimum Spacing of lines (center) to center in feet
I	II	III
18	1.5	6
24	2	6.5

- (b) Pipe used for the line between the septic tank and the distribution box and between the distribution box and the tile laterals to the point where the laterals

are separated six feet, shall be vitrified-clay, cement asbestos, or cast-iron. Joints in such pipe shall be water tight. Pipe used under driveways or other areas subject to heavy loads shall be bell and spigot cast-iron with leaded calked joints. Such water tight sections laid in the disposal field shall not be considered in determining the effective absorption area.

- (c) Field tile or European disposal tile used in the disposal field shall be five-inch agricultural drain tile 12 inches in length and shall be laid with ½ inch open joints. All bends used in the disposal field shall have tight joints at each end of the bend.
- (d) Filter material shall be crushed stone, gravel, or similar insoluble, durable and acceptable material having sufficient voids. This material may vary from ½ to 2 ½ inches in size and shall be free of dust, sand or clay. The filter materials shall completely encase the tile in accordance with Item Section 4 D-6 (a) (8) and (9).
- (e) The top of the filter material shall be covered with untreated building paper so as to prevent settling of backfill material into the filter material.
- (f) The trench above the filter material shall be overfilled with eight to twelve inches of earth. The backfill shall be hand-tamped.
- (g) Before filter material is placed, all smeared or compacted soil in the trench bottom shall be broken up and removed by raking or other effective means to provide natural soil conditions.

7. Seepage Pits.

- (a) Seepage pits shall be used for disposal of effluent only when such use is indicated by favorable conditions of soil, ground-water level, or topography, and where such use does not reduce the safety of surrounding water supplies. The pit excavation shall terminate at least 10 feet above the highest known or calculated ground-water table. The depth of the excavation shall not exceed 20 feet. If the bottom of the tank is more than 10 feet above the highest known or calculated ground-water table, a greater depth may be permitted by the Inspector, if it can be determined that the safety of surrounding water supplies will not be affected.
- (b) A distribution box which is constructed in accordance with Item Section 4 D-3 shall be required when two or more seepage pits are connected and used in parallel.
- (c) The location of seepage pits, in addition to the general provisions under item Section 4 D-7 (a) shall be not less than the state minimum distances from the following:
 - (1) Any water supply well or buried water suction pipe – 75 feet.
 - (2) Occupied buildings and building foundations – 15 feet.
 - (3) Property lines and buried pipe distributing water under pressure – 10 feet.
 - (4) Other seepage pits and septic tanks – 10 feet.
- (d) Effective absorption area of a seepage pit shall be calculated as the sidewall area below the inlet, exclusive of any hardpan, rock, or clay formation.
 - (1) The determination of the required effective absorption area based on the depth of seepage pit required shall be made by the use of a test hole or holes which will indicate the soil strata at the proposed location for the

seepage pit. This test information shall be compiled and submitted to the Inspector for determination of the feasibility of using a seepage pit for waste disposal as well as its size and depth.

- (2) Required seepage area shall be determined in accordance with the following table: (See Table 3)
- (3) A minimum of four feet composite depth of porous formation for each installation shall be provided in one or more pits.
- (4) All pits shall have a diameter of at least four feet.

TABLE 3

Effective absorption area requirement in square feet of wall area of seepage pit exclusive of curbing per bedroom

Character of Soil	
Coarse sand or gravel	20
Fine sand	50
Loamy sand and silt with very little clay (less than 5%)	100
Sandy loam (silty)	200
Sandy Loam (clayey)	300
Clay with considerable gravel or sand	400
Clay with small amounts of gravel or sand	500
Heavy tight clay, hardpan, rock or other impervious formations	Unsuitable

As a further clarification, the particle size of the various soils are as follows:

Sand - - under 10% passing the No. 270 sieve.

Loamy sand - - from 10 20 20% passing the No. 270 sieve.

Sandy loam - - over 20% passing the No. 270 sieve but also the sand content shall be over 50%.

The character of soil in the above table is based on the “U.S. Bureau of soil Clissification.”

- (d) Construction of all seepage pits shall conform to the following requirements:
 - (1) To prevent cave-in, the pit shall be lined with precise concrete ring block at least four inches thick, laid in a radial arch to support the pit walls.
 - (2) The block shall be laid water tight above the inlet and with open joints below the inlet to provide adequate passage of liquids.
 - (3) A minimum annular space of 12 inches between the lining and excavation wall shall b filled with crushed rock or gravel.
 - (4) The seepage pit shall be so constructed at the top as to be capable of supporting the over-burden of earth and any reasonable load to which it is subjected. Access to the pit shall be provided by means of a manhole or inspection hole equipped with a watertight cover. The seepage pit may terminate in a conventional manhole top, frame and cover. The top of the seepage pit shall be not less than two (2) feet or more than five (5) feet below the ground surface. There shall be provided an inspection pipe of not less than six inch diameter extending through the cover to a point

above the tank not more than six inches below finished ground level. The top of the inspection pipe shall be provided with a readily removable water tight cap and its location shall be marked at the ground surface.

Section 5. INSPECTION

The Inspector shall make such inspection or inspections as are necessary to determine compliance with this Ordinance. No part of the system shall be covered until it has been inspected and accepted by the Inspector. It shall be the responsibility of the applicant for the permit to notify the Inspection Department that the job is ready for inspections or re-inspection, and it shall be the duty of the Inspector to make the indicated inspection within 48 hours, after such notice has been given, Saturdays, Sundays and legal holidays being excepted in the computation. It shall be the duty of the owner or occupant of the property to give the Inspector fee access to the property at reasonable times for the purpose of making such inspections. Upon satisfactory completion and final inspection of the system, the Inspector shall issue to the applicant a certificate of approval.

Filter material for complete job shall be on premises at time of inspection. If upon inspection the Inspector discovers that any part of the system is not constructed in accordance with the minimum standards provided in this Ordinance, he shall give the applicant written notification describing the defects. The applicant shall pay an additional fee of \$5.00 for each re-inspection that is necessary. The applicant shall be responsible for the correction or elimination of all defects, and no system shall be placed or replaced in service until all defects have been corrected or eliminated. After satisfactory completion of the system, a diagram of the system shall be filed with the Town Clerk.

Section 6. OBJECTIVES

The objectives of this Ordinance are to provide adequate and save methods of sewage disposal and to prevent the contamination of any existing or future water supply by an existing or future sewage disposal system. Any system of special, unusual or new design which will satisfy the stated objective may be accepted as complying with this Ordinance, and any permit granted for the construction, installation, alteration, or repair of any such special system shall be subject to such conditions and guarantees as may be stated in the permit.

Section 7. PENALTIES

Any person, firm or corporation violating any of the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in an amount not to exceed \$300.00 or imprisoned in a public jail for not to exceed ninety (90) days. Each day that any violation is continued shall constitute a separate offense.

Section 8. VALIDITY

If any section or part of this ordinance shall be held by any court having jurisdiction to be invalid, the remaining valid portions thereof shall be and remain in full force and effect.

Section 9. REPEAL

It is the intention of the Town Board of the Township of Empire to set forth as of the date of passage of this Ordinance the entire code of rules and regulations governing sewage disposal

systems and to therefore repeal any Ordinance or portion of any Ordinance passed by the Town of Empire which sets and standards inconsistent with standards set forth herein.

Section 10. WAIVER

The Town Board of Empire may waive any of the regulations set forth herein upon a showing that a hardship would result in compliance with the Ordinance or that it would be impossible due to land topography to comply with this Ordinance. Such waiver, however, shall not be granted unless the Board is fully satisfied, after consulting with the Town Engineer and the Inspector, that the alternative system for which a waiver is granted will fully satisfy the objectives of this Ordinance as set forth in Section 6 herein.

Section 11. EFFECT

This Ordinance shall take effect and be in force from and after its passage and publication according to law.

Passed by the Town Board this 23 day of May, 1972.