

## **ORDINANCE 137**

### **FLOYD COUNTY BOARD OF HEALTH**

#### **GENERAL PROVISIONS**

- 137.1 COUNTY BOARD
- 137.2 APPOINTMENT-VACANCIES
- 137.3 COUNTY HEALTH OFFICER

#### **MISCELLANEOUS PROVISIONS**

- 137.4 RIGHT OF ENTRY
- 137.5 UNSANITARY CONDITIONS
- 137.6 POINT SOURCE OF POLLUTION

#### **PRIVATE SEWAGE DISPOSAL SYSTEMS**

- 137.7 GENERAL REGULATIONS
- 137.8 PERMIT REQUIRED
- 137.9 CONTRACTOR'S LICENSE REQUIRED
- 137.10 STANDARDS FOR SYSTEM
- 137.11 APPROVAL OF PERMITS
- 137.12 COMPLIANCE WITH PERMIT
- 137.13 EMERGENCY WORK
- 137.14 DISCHARGE RESTRICTIONS
- 137.15 INSPECTION
- 137.16 TIME OF TRANSFER INSPECTIONS
- 137.17 TIME OF TRANSFER INSPECTOR CERTIFICATION
- 137.18 TIME OF TRANSFER INSPECTION CRITERIA
- 137.19 ABANDONMENT

#### **PRIVATE WATER WELLS**

- 137.20 PERMIT REQUIRED
- 137.21 CONTRACTOR'S LICENSE REQUIRED
- 137.22 NONPUBLIC WATER WELL CONSTRUCTION RULES
- 137.23 PRIVATE WATER WELL CONSTRUCTION PERMIT RULES
- 137.24 REQUIREMENTS FOR PLUGGING ABANDONED WELLS

#### **SEVERABILITY CLAUSE**

- 137.25 SEVERABILITY CLAUSE

#### **VIOLATION-PENALTY**

- 137.26 VIOLATION-PENALTY

### **GENERAL PROVISIONS**

**137.1 COUNTY BOARD.** THE COUNTY BOARD OF HEALTH SHALL CONSIST OF FIVE MEMBERS, AT LEAST ONE OF WHOM SHALL BE LICENSED IN IOWA AS A DOCTOR OF MEDICINE AND SURGERY OR AS AN OSTEOPATHIC PHYSICIAN AND SURGEON AS DEFINED BY LAW.

**137.2 APPOINTMENT-VACANCIES.** ALL MEMBERS OF THE COUNTY BOARD SHALL BE APPOINTED BY THE COUNTY BOARD OF SUPERVISORS AND SHALL SERVE FOR A PERIOD OF THREE YEARS. VACANCIES DUE TO DEATH, RESIGNATION, OR OTHER CAUSE SHALL BE FILLED

AS SOON AS POSSIBLE AFTER THE VACANCY EXISTS BY APPOINTMENT OF THE BOARD OF SUPERVISORS FOR THE UNEXPIRED TERM OF THE ORIGINAL APPOINTMENT.

**137.3 COUNTY HEALTH OFFICER.** THE COUNTY BOARD OF HEALTH SHALL, SUBJECT TO THE APPROVAL OF THE BOARD OF SUPERVISORS, APPOINT A COUNTY HEALTH OFFICER WHO SHALL ENFORCE STATE AND LOCAL REGULATIONS NECESSARY FOR THE PROTECTION AND IMPROVEMENTS OF THE PUBLIC HEALTH; AND SHALL CARRY OUT THE LAWFUL ORDERS OF THE COUNTY BOARD OF HEALTH.

#### MISCELLANEOUS PROVISIONS

**137.4 RIGHT OF ENTRY** THE COUNTY HEALTH OFFICER, HIS AUTHORIZED DESIGNEE, OR THE COUNTY BOARD OF HEALTH MAY ENTER AND INSPECT PROPERTIES AT ANY REASONABLE TIME FOR OFFICIAL INVESTIGATION AND TO ENFORCE THE PROVISIONS OF THIS CHAPTER. ANYONE WHO WILLFULLY RESISTS OR INTERFERES WITH THE COUNTY HEALTH OFFICER, OR AUTHORIZED AGENTS, IN CARRYING OUT OF ANY DUTY SHALL BE GUILTY OF A SIMPLE MISDEMEANOR.

**137.5 UNSANITARY CONDITIONS.** NO PERSON SHALL HAVE ANY BUILDING OR PREMISES WITH RODENT OR INSECT INFESTATION OR OTHER UNSANITARY CONDITIONS WHICH ARE FOUND BY THE COUNTY BOARD OF HEALTH TO CONSTITUTE A HEALTH HAZARD. THE COUNTY BOARD OF HEALTH SHALL CONDUCT AN INVESTIGATION AND RENDER A FINDING THAT A HEALTH HAZARD DOES INDEED EXIST BEFORE ANY ACTION OR PROCEEDING MAY BE UNDERTAKEN BY THE BOARD. ANYONE WHO KNOWINGLY ALLOWS A HEALTH HAZARD TO EXIST AFTER NOTIFICATION BY THE COUNTY BOARD OF HEALTH THAT THE HEALTH HAZARD SHOULD BE CORRECTED, SHALL BE GUILTY OF A SIMPLE MISDEMEANOR.

**137.6 POINT SOURCE OF POLLUTION.** ANY POINT SOURCE OF POLLUTANTS INTO SURFACE OR SUBSURFACE WATERS WHICH MAY CONSTITUTE A HEALTH HAZARD IS HEREBY PROHIBITED. HEALTH HAZARDS CAUSED BY POINT SOURCES WHICH THE COUNTY BOARD OF HEALTH FINDS TO BE SERIOUS MAY BE ABATED IN THE MANNER PROVIDED ELSEWHERE IN THIS CODE FOR THE ABATEMENT OF NUISANCES. POINT SOURCE SHALL INCLUDE, BUT NOT BE LIMITED TO SINKHOLES, DRAINAGE WELLS AND FIELD TILE OUTLETS.

#### PRIVATE SEWAGE SYSTEMS

**137.7 GENERAL REGULATIONS.** NO PRIVATE SEWAGE DISPOSAL SYSTEM SHALL BE INSTALLED, REPAIRED, OR REHABILITATED WHERE A PUBLICLY OWNED TREATMENT WORKS (POTW) IS AVAILABLE WITHIN TWO HUNDRED (200) FEET OF ANY PROPOSED BUILDING OR EXTERIOR DRAINAGE FACILITY ON ANY LOT OR PREMISES WHICH ABUTS THE SUBJECT PROPERTY. WHEN A POTW BECOMES AVAILABLE WITHIN TWO HUNDRED (200) FEET, ANY BUILDING THEN SERVED BY A PRIVATE SEWAGE DISPOSAL SYSTEM SHALL BE CONNECTED TO SAID POTW WITHIN A REASONABLE TIME FRAME. WHEN A POTW IS NOT AVAILABLE, EVERY BUILDING WHEREIN PERSONS RESIDE, CONGREGATE, OR ARE EMPLOYED SHALL BE PROVIDED WITH AN APPROVED PRIVATE SEWAGE DISPOSAL SYSTEM.

**137.8 PERMIT REQUIRED.** NO PRIVATE SEWAGE DISPOSAL SYSTEM FOR CONDUCTION, COLLECTION, STORAGE, TREATMENT OR DISPOSAL OF SEWAGE FROM A DWELLING OR OTHER FACILITY SERVING THE EQUIVALENT OF 15 PERSONS OR LESS SHALL BE INSTALLED, ALTERED OR REPAIRED UNTIL AN APPLICATION FOR A PERMIT HAS BEEN FILED AND A PERMIT HAS BEEN ISSUED BY THE COUNTY HEALTH OFFICER. PUBLIC SEWER SYSTEMS, AND PRIVATE SEWAGE SYSTEMS OVER 15 PERSONS EQUIVALENT ARE SUBJECT TO STATE PERMIT AND REGULATION PROVISIONS. ANY PERSON, FIRM OR CORPORATION DESIRING TO

CONSTRUCT, ALTER OR REPAIR A PRIVATE SEWAGE SYSTEM SHALL FILE AN APPLICATION WITH THE COUNTY HEALTH OFFICER, ON FORMS PROVIDED BY THE COUNTY BOARD OF HEALTH STATING NAME AND BUSINESS ADDRESS OF THE PERSON, FIRM OR CORPORATION THAT IS TO DO THE WORK, THE NAME OF THE PROPERTY OWNER, THE NAME OF THE OCCUPANT, A DESCRIPTION OF THE WORK TO BE PERFORMED, AND A DESCRIPTION OF THE PROPERTY WHERE THE WORK IS TO BE DONE. IN ADDITION, IF THE PERMIT IS SOUGHT TO CONSTRUCT OR ALTER A PRIVATE SEWAGE SYSTEM, THE APPLICATION SHALL BE ACCOMPANIED BY PLANS AND SPECIFICATIONS SHOWING ACCURATELY THE SIZE, MATERIALS AND LOCATION OF ALL PROPOSED CONSTRUCTION OR ALTERATION OF SAID SEWAGE SYSTEM. A SOIL POROSITY (PERCOLATION) TEST AND A FEE AS SET BY THE BOARD OF SUPERVISORS MUST ACCOMPANY EACH APPLICATION. NO FEES CAN BE REFUNDED AS PER THIS ORDINANCE..

**137.9 CONTRACTOR'S LICENSE REQUIRED.** NO PERSON OR FIRM SHALL CONSTRUCT OR ALTER ANY PRIVATE SEWAGE DISPOSAL SYSTEM FOR ANOTHER PERSON OR FIRM, WITHOUT FIRST HAVING OBTAINED A LICENSE FROM THE COUNTY HEALTH OFFICER. IN ORDER TO FILE FOR A LICENSE TO INSTALL PRIVATE SEWAGE DISPOSAL SYSTEMS, SAID PERSON, FIRM OR CORPORATION MUST BE A HOLDER IN GOOD STANDING OF AN IOWA ONSITE WASTEWATER ASSOCIATION (IOWWA) CERTIFICATION AS A CERTIFIED INSTALLER OF ONSITE WASTEWATER TREATMENT SYSTEMS, BASIC OR ADVANCED LEVELS. PERSONS WHO ARE HOLDERS IN GOOD STANDING OF AN EXISTING FLOYD COUNTY LICENSE AS OF JULY 22, 2008, SHALL HAVE TWO (2) YEARS TO BECOME CERTIFIED, DURING WHICH TIME ALL CONTINUING EDUCATION REQUIREMENTS AS REQUIRED OF A CERTIFIED INSTALLER MUST BE MET. THE FEE FOR SUCH LICENSE SHALL BE SET BY THE BOARD OF SUPERVISORS AND THE LICENSE WILL BE RENEWABLE BY JANUARY 1 EACH YEAR UNLESS REVOKED. EACH APPLICATION FOR LICENSE SHALL BE ACCOMPANIED BY A SEWAGE CONTRACTOR'S BOND IN THE PENAL SUM DETERMINED BY THE BOARD OF SUPERVISORS IN A FORM APPROVED BY THE COUNTY HEALTH OFFICER. EACH APPLICANT SHALL AGREE TO PROTECT AND INDEMNIFY AND SAVE HARMLESS FLOYD COUNTY, ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL LOSS, COSTS, DAMAGE AND EXPENSES OCCASIONED BY, OR ARISING OUT OF, ANY ACCIDENT OR OTHER OCCURRENCE CAUSING OR INFLICTING INJURY AND/OR DAMAGE TO ANY PERSON OR PROPERTY IN CONNECTION WITH CONSTRUCTION, ALTERING OR REPAIRING ANY PRIVATE SEWAGE DISPOSAL SYSTEM. ANY LICENSE ISSUED MAY BE REVOKED BY THE COUNTY BOARD OF HEALTH IF THE LICENSE HOLDER IS FOUND TO BE IN VIOLATION OF THE PROVISIONS OF THIS CHAPTER OR THE SANITARY STANDARDS FOR PRIVATE SEWAGE DISPOSAL SYSTEMS ADOPTED BY THE COUNTY BOARD OF HEALTH. AN APPLICATION FOR LICENSE MAY BE DENIED IF THE APPLICANT HAS PREVIOUSLY VIOLATED THE PROVISIONS OF THIS CHAPTER OR THE SANITARY STANDARDS THEREIN.

**137.10 STANDARDS FOR SYSTEMS.** THE BOARD OF HEALTH SHALL ADOPT CHAPTER 567-69 OF THE IOWA ADMINISTRATIVE CODE AS THE STANDARDS FOR SEWAGE SYSTEMS.

**137.11 APPROVAL OF PERMITS.** THE COUNTY HEALTH OFFICER SHALL, UPON RECEIVING THE APPLICATION FOR A PERMIT, AS SOON AS POSSIBLE, BUT NOT MORE THAN THIRTY (30) DAYS THEREAFTER, CONSIDER SAID APPLICATION, NEGOTIATE WITH THE APPLICANT ON CHANGES DEEMED ADVISABLE FOR THE KIND AND EXTENT OF CONSTRUCTION OR RECONSTRUCTION TO BE ENGAGED BY HIM, AND APPROVE THE APPLICATION AS ORIGINALLY SUBMITTED OR MODIFIED, OR MAY DENY THE APPLICATION. IN THE EVENT THAT THE APPLICATION IS DENIED BY THE COUNTY HEALTH OFFICER, SUCH DENIAL SHALL SPELL OUT IN WRITING WHY THE APPLICATION HAS BEEN DENIED, THE APPLICANT MAY THEN APPEAL TO THE BOARD OF HEALTH, AND THE BOARD OF HEALTH'S DECISION SHALL BE FINAL.

**137.12 COMPLIANCE WITH PERMIT.** ALL CONSTRUCTION OR ALTERATIONS OF SEWAGE SYSTEMS SHALL BE COMPLETED ACCORDING TO THE PLANS AND SPECIFICATIONS APPROVED AS PART OF THE PERMIT. IN THE EVENT THAT IN THE COURSE OF WORK, IT IS FOUND NECESSARY TO MAKE ANY CHANGE FROM THE APPROVED PLANS AND SPECIFICATIONS ON

WHICH A PERMIT WAS ISSUED, PROPOSED REVISIONS SHALL BE SUBMITTED TO THE HEALTH OFFICER FOR APPROVAL. ALL REPAIRS OF SEWAGE SYSTEMS SHALL BE COMPLETED ACCORDING TO THE DESCRIPTION OF THE PROPOSED REPAIR APPROVED AS PART OF THE PERMIT. IN THE EVENT THAT IN THE COURSE OF THE WORK, IT IS FOUND NECESSARY TO MAKE ANY CHANGE FROM THE APPROVED REPAIR FOR WHICH THE PERMIT WAS ISSUED, PROPOSED REVISIONS SHALL BE SUBMITTED TO THE HEALTH OFFICER FOR APPROVAL.

**137.13 EMERGENCY WORK.** IN THE EVENT OF AN EMERGENCY SITUATION, WORK MAY BE INITIATED WITHOUT FIRST OBTAINING A PERMIT. HOWEVER, A PERMIT MUST BE OBTAINED WITHIN A REASONABLE TIME. ALL EMERGENCY WORK MUST BE DONE IN CONFORMITY WITH THE ADOPTED STANDARDS AND THE REQUIREMENTS OF THIS CHAPTER AND SHALL BE INSPECTED BY THE COUNTY HEALTH OFFICE FOR FULL COMPLIANCE.

**137.14 DISCHARGE RESTRICTIONS.** IT SHALL BE PROHIBITED TO DISCHARGE ANY WASTEWATER FROM PRIVATE SEWAGE DISPOSAL SYSTEMS TO ANY DITCH, STREAM, POND, LAKE, NATURAL OR ARTIFICIAL WATERWAY, COUNTY DRAIN TILE, SURFACE WATER DRAIN TILE, OR LAND DRAIN TILE, TO THE GROUNDWATER, OR TO THE SURFACE OF THE GROUND. THE COUNTY HEALTH OFFICER MAY ISSUE WRITTEN APPROVAL FOR THE DISCHARGE OF EFFLUENTS WHICH HAVE RECEIVED ACCEPTABLE SECONDARY TREATMENT. UNDER NO CIRCUMSTANCES SHALL EFFLUENT FROM PRIVATE SYSTEMS OR LIQUID WASTES BE DISCHARGED TO ANY ABANDONED WELL, DRAINAGE WELL, FIELD TILE LINE, OR SINKHOLE.

**137.15 INSPECTION.** NO CONSTRUCTION, ALTERATION, OR REPAIR OF ANY PRIVATE SEWAGE SYSTEM SHALL BE COVERED UNTIL IT HAS BEEN INSPECTED AND APPROVED BY THE COUNTY HEALTH OFFICER. THE PERMIT HOLDER SHALL NOTIFY THE HEALTH OFFICER WHEN THE SYSTEM IS READY TO BE INSPECTED AND THE HEALTH OFFICER SHALL CONDUCT HIS INSPECTION AS SOON THEREAFTER AS PRACTICABLE. IF THE INSPECTOR FINDS THE WORK TO BE IN CONFORMITY WITH THE PROVISIONS OF THIS CHAPTER, HE SHALL ISSUE THE PERMIT HOLDER A CERTIFICATE OF APPROVAL OR ENDORSE HIS APPROVAL ON THE PERMIT.

**137.16 TIME OF TRANSFER INSPECTIONS.** BEGINNING JULY 1, 2009, PRIOR TO THE TRANSFER OF OWNERSHIP OF A BUILDING WHERE A PERSON RESIDES, CONGREGATES, OR IS EMPLOYED THAT IS SERVED BY A PRIVATE SEWAGE DISPOSAL SYSTEM, THE SEWAGE DISPOSAL SYSTEM SERVING THE BUILDING SHALL BE INSPECTED. A BUILDING THAT WILL BE DEMOLISHED WITHOUT BEING OCCUPIED DOES NOT REQUIRE AN INSPECTION. A LEGALLY BINDING DOCUMENT VERIFYING THAT THE BUILDING WILL BE DEMOLISHED SHALL BE PROVIDED TO THE COUNTY AND TO THE IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR) FOR RECORDING. IN THE EVENT THAT WEATHER OR OTHER TEMPORARY PHYSICAL CONDITIONS PREVENT THE CERTIFIED INSPECTION FROM BEING CONDUCTED, THE BUYER SHALL EXECUTE AND SUBMIT A BINDING ACKNOWLEDGMENT WITH THE COUNTY BOARD OF HEALTH TO CONDUCT A CERTIFIED INSPECTION OF THE PRIVATE SEWAGE DISPOSAL SYSTEM AT THE EARLIEST PRACTICABLE TIME AND TO BE RESPONSIBLE FOR ANY REQUIRED MODIFICATIONS TO THE PRIVATE SEWAGE DISPOSAL SYSTEM AS IDENTIFIED BY THE CERTIFIED INSPECTION. TITLE ABSTRACT TO PROPERTY WITH PRIVATE SEWAGE DISPOSAL SYSTEMS SHALL INCLUDE DOCUMENTATION OF COMPLIANCE WITH THE REQUIREMENTS OF THIS RULE.

**137.17 TIME OF TRANSFER INSPECTOR CERTIFICATION.** INSPECTIONS SHALL BE CONDUCTED BY AN INSPECTOR CERTIFIED BY THE IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR). IN ORDER TO BE A CERTIFIED TIME OF TRANSFER INSPECTOR, AN INDIVIDUAL SHALL MEET THE EXPERIENCE REQUIREMENTS, HAVE SUCCESSFULLY COMPLETED THE INSPECTION COURSE AND EXAMINATION, AND HAVE BEEN ISSUED A CURRENT CERTIFICATE BY THE IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR) IN ACCORDANCE WITH THIS RULE. IN ORDER TO BE CERTIFIED BY TAKING THE INSPECTION COURSE AND EXAMINATION, AN INDIVIDUAL MUST HAVE AT LEAST TWO (2) YEARS' EXPERIENCE IN THE OPERATION, INSTALLATION, INSPECTION, DESIGN OR MAINTENANCE OF PRIVATE SEWAGE DISPOSAL SYSTEMS OR MUST COMPLETE

ADDITIONAL COURSEWORK BEFORE ATTENDING THE INSPECTION COURSE WITH TESTING. THE ADDITIONAL COURSEWORK SHALL INCLUDE, BUT NOT BE LIMITED TO, "ONSITE BASICS 101" AND "ALTERNATIVE SYSTEMS" OFFERED BY THE ONSITE WASTEWATER TRAINING CENTER OF IOWA. ALL CERTIFICATES SHALL EXPIRE ON JUNE 30 OF EVEN-NUMBERED YEARS AND MUST BE RENEWED EVERY TWO (2) YEARS IN ORDER TO STAY EFFECTIVE. ADDITIONALLY, INSPECTORS MUST EARN 1.2 CONTINUING EDUCATION UNITS (CEUs) OR 12 CONTACT HOURS DURING EACH TWO-YEAR CERTIFICATION PERIOD. EACH INSPECTOR SHALL MAINTAIN A WRITTEN RECORD OF AND NOTIFY THE IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR) OF THE CEUs EARNED DURING THE PERIOD AND SAID CEUs SHALL ALSO BE SHOWN ON THE APPLICATION FOR RENEWAL.

**137.18 TIME OF TRANSFER INSPECTION CRITERIA.** IF A PRIVATE SEWAGE DISPOSAL SYSTEM IS FAILING TO ENSURE EFFECTIVE WASTEWATER TREATMENT OR IS OTHERWISE IMPROPERLY FUNCTIONING, THE PRIVATE SEWAGE DISPOSAL SYSTEM SHALL BE RENOVATED TO MEET CURRENT CONSTRUCTION STANDARDS, EITHER BY THE SELLER OR, AS INDICATED IN A DOCUMENTED AGREEMENT, BY THE BUYER, WITHIN A REASONABLE TIME PERIOD AS DETERMINED BY THE COUNTY OR THE IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR). IF THE PRIVATE SEWAGE DISPOSAL SYSTEM IS PROPERLY TREATING THE WASTEWATER AND NOT CREATING ANY UNSANITARY CONDITION IN THE ENVIRONMENT AT THE TIME OF THE INSPECTION, THE SYSTEM IS NOT REQUIRED TO MEET CURRENT CONSTRUCTION STANDARDS. FOLLOWING THE INSPECTION, THE INSPECTION FORM AND ANY RELATED REPORTS SHALL BE PROVIDED TO THE COUNTY ENVIRONMENTAL HEALTH DEPARTMENT FOR ENFORCEMENT OF ANY FOLLOW-UP MANDATORY IMPROVEMENTS TO THE SYSTEM, TO THE IOWA DEPARTMENT OF NATURAL RESOURCES (IDNR) FOR RECORDING, AND TO THE COUNTY RECORDER'S OFFICE. AN INSPECTION IS VALID FOR A PERIOD OF TWO (2) YEARS FOR ANY OWNERSHIP TRANSFERS DURING THAT PERIOD.

**137.19 ABANDONMENT.** PRIVATE SEWAGE DISPOSAL SYSTEMS THAT ARE ABANDONED SHALL HAVE THE SEPTIC TANK PUMPED, THE TANK LID CRUSHED INTO THE TANK, AND THE TANK FILLED WITH SAND OR SOIL.

#### **PRIVATE WATER WELLS**

**137.20 PERMIT REQUIRED.** NO PRIVATE WATER WELL SHALL BE INSTALLED OR MAJOR REPAIRS MADE THERETO UNTIL AN APPLICATION FOR A PERMIT HAS BEEN FILED AND A PERMIT HAS BEEN ISSUED BY THE COUNTY HEALTH OFFICER. EACH APPLICATION SHALL BE ACCOMPANIED BY A FEE SET BY THE BOARD OF SUPERVISORS. NO FEES CAN BE REFUNDED.

**137.21 CONTRACTOR'S LICENSE REQUIRED.** NO PERSON OR FIRM SHALL CONSTRUCT OR REPAIR ANY PRIVATE WATER WELL FOR ANY OTHER PERSON, WITHOUT FIRST HAVING OBTAINED A CONTRACTOR'S LICENSE FROM THE COUNTY HEALTH OFFICER. THE FEE FOR SUCH LICENSE SHALL BE SET BY THE SUPERVISORS AND THE LICENSE WILL BE RENEWABLE BY JANUARY 1 OF EACH YEAR UNLESS REVOKED. EACH APPLICATION FOR LICENSE SHALL BE ACCOMPANIED BY A PRIVATE WATER WELL CONTRACTOR'S BOND IN THE AMOUNT SET BY THE BOARD OF SUPERVISORS IN A FORM APPROVED BY THE COUNTY HEALTH OFFICER. EACH APPLICANT SHALL AGREE TO PROTECT AND INDEMNIFY AND SAVE HARMLESS FLOYD COUNTY, ITS OFFICERS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY LOSS, COSTS, DAMAGE AND EXPENSES OCCASIONED BY, OR ARISING OUT OF, ANY ACCIDENT OR OTHER OCCURRENCE CAUSING OR INFLECTING INJURY AND/OR DAMAGE TO ANY PERSON OR PROPERTY IN CONNECTION WITH INSTALLING OR REPAIRING ANY PRIVATE WATER WELLS. ANY LICENSE ISSUED MAY BE REVOKED BY THE COUNTY BOARD OF HEALTH IF THE LICENSE HOLDER IS FOUND TO BE IN VIOLATION OF THE PROVISIONS OF THIS CHAPTER OR THE SANITARY STANDARDS FOR PRIVATE WATER WELLS ADOPTED BY THE COUNTY BOARD OF HEALTH. AN APPLICATION FOR LICENSE MAY BE DENIED IF THE APPLICANT HAS PREVIOUSLY VIOLATED THE PROVISIONS OF THIS CHAPTER OR THE SANITARY STANDARDS THEREIN.

**137.22 NONPUBLIC WATER WELL CONSTRUCTION RULES.** CHAPTER 567-49 OF IOWA ADMINISTRATIVE CODE IN ITS ENTIRETY SHALL HENCEFORTH BE THE NONPUBLIC WATER WELL CONSTRUCTION RULES OF FLOYD COUNTY, IOWA.

**137.23 PRIVATE WATER WELL CONSTRUCTION PERMIT RULES.** CHAPTER 567-38 OF THE IOWA ADMINISTRATIVE CODE IN ITS ENTIRETY SHALL HENCEFORTH BE THE PRIVATE WATER WELL CONSTRUCTION PERMIT RULES OF FLOYD COUNTY, IOWA.

**137.24 REQUIREMENTS FOR PLUGGING ABANDONED WELLS** CHAPTER 567-39 OF THE IOWA ADMINISTRATIVE CODE IN ITS ENTIRETY SHALL HENCEFORTH BE THE RULES FOR PROPERLY PLUGGING ABANDONED WELLS IN FLOYD COUNTY.

**SEVERABILITY CLAUSE**

**137.25 SEVERABILITY CLAUSE.** IF ANY SECTION, PROVISIONS OR PART OF THIS CHAPTER SHALL BE ADJUDGED INVALID OR UNCONSTITUTIONAL, SUCH ADJUDICATION SHALL NOT AFFECT THE VALIDITY OF THE CHAPTER AS A WHOLE OR ANY SECTION, PROVISION OR PART THEREOF NOT ADJUDGED INVALID UNCONSTITUTIONAL.

**VIOLATION-PENALTY**

**137.26 VIOLATION-PENALTY.** UNLESS SPECIFIC PENALTY IS PROVIDED IN THIS CODE, ANYONE VIOLATING ANY OF THE PROVISIONS OF THIS CHAPTER SHALL, UPON CONVICTION, BE SUBJECT TO A FINE OF UP TO \$100.00 OR IMPRISONMENT NOT TO EXCEED THIRTY (30) DAYS. EACH DAY THAT A VIOLATION CONTINUES TO EXIST, AFTER DUE NOTICE OF VIOLATION BY THE COUNTY HEALTH OFFICER, SHALL CONSTITUTE A SEPARATE OFFENSE.

SECTION 2. ORDINANCES AND RESOLUTIONS AND PARTS OF ORDINANCES AND RESOLUTIONS IN CONFLICT WITH THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 3. THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT AFTER ITS FINAL PASSAGE, APPROVAL AND PUBLICATION AS PROVIDED BY LAW.

PASSED AND APPROVED THIS 23<sup>RD</sup> DAY OF JUNE, 2009.

FLOYD COUNTY BOARD OF SUPERVISORS

BY \_\_\_\_\_  
LEO B. STAUDT, CHAIRMAN

ATTEST:

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SANDRA HICKS, DEPUTY AUDITOR