



Attention Applicant:

Effective April 9, 2015, the builder for all new residential properties that have an aerobic system will be required to provide a maintenance agreement according to ordinance # 3744. This will be a two-year maintenance agreement and will be required before the issuance of a Certificate of Occupancy. After the two agreement expires, the homeowner will be responsible for providing yearly verification of the continued maintenance agreement to the City of Edmond.

It is the builder's responsibility to ensure that the homeowner is aware of this requirement and that all records of prior maintenance have been transferred to the homeowner. The City of Edmond Building and Fire Code Service Department will send a notification to the homeowner 60 days before the expiration of the current maintenance agreement. A copy of the ordinance is attached for your convenience.

Please contact our office at 405-359-4780, if you have further questions.

A handwritten signature in blue ink, appearing to read "S. Scott Boyle", is written over a light blue horizontal line.

Scott Boyle  
Department Manager  
Building and Fire Code Services

**ORDINANCE NO. 3477**

AN ORDINANCE AMENDING TITLE 21 OF THE EDMOND MUNICIPAL CODE BY AMENDING SUBSECTION 21.03.090(A)(6) SANITARY SEWERS; AND BY ADDING NEW SECTION 21.03.091 ON-SITE SEWAGE TREATMENT SYSTEM; PROVIDING FOR CHANGES IN SANITARY SEWER IMPROVEMENTS; AND PROVIDING FOR REPEALER AND SEVERABILITY.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EDMOND, OKLAHOMA:

SECTION 1. Subsection 21.03.090(A)(6) of the Edmond Municipal Code is hereby amended to read as follows:

21.03.090 Sanitary Sewers.

- A. Public Sanitary Sewage System Connection, Extension and Installation Requirements for New Developments.
1. Developers are required to connect the development to a public sanitary sewerage collection system or sewage treatment facility, obtain all necessary easements dedicated to the public as are required for such development and to provide adequate sewer laterals which are accessible to each lot. Said sewer system shall comply with specifications as approved by the City Engineer and the Oklahoma Department of Environmental Quality (ODEQ). When necessary, the City may assist the developer in obtaining easements.
  2. Developers are required to extend the sewerage system lying within the development to the upstream junction(s) of the developments boundary with the drainage basin.
  3. Developers constructing sewerage systems are required to construct said systems with adequate capacity and excess capacity. Systems shall be at sufficient depth as to permit future extension to

serve the entire drainage area upstream from the point of consideration. The capacity shall include sewer lines, lift stations and force mains, as applicable. New interceptor line extensions shall comply with the adopted and current Master Wastewater Collection System Plan and, as determined by the City Engineer, the size will be based on future design flows.

4. Where plans for the installation of sanitary sewers in the vicinity of the development have been prepared and approved by the ODEQ and the City Engineer, the developer shall install sewers in conformity with such plans.
5. In residential acreage subdivisions, the developer may not be required to connect to the City sanitary sewage system upon recommendation of the PRT.
6. In residential acreage subdivisions, the lot size shall not be less than 60,000 square feet, if the subdivision is served with private well water. If the subdivision is served with public city water the lot size shall not be less than 30,000 square feet net. The net lot size calculation is more specifically addressed in the zoning ordinance Chapter 22.4.38 "Specific Purpose Dwelling District, with Mixed Public and Private Utility Services".

SECTION 2. Section 21.03 of the Edmond Municipal Code is hereby amended by adding new Subsection 21.03.091 to hereby read as follows:

21.03.091 On-Site Sewage Treatment System.

A. On-Site Sewage Treatment System Rules.

1. Any subdivision served by an on-site sewage treatment system within the jurisdictional area of the City of Edmond must comply with Title 21 of the City of Edmond and Title 252, Chapter 641 of the Oklahoma Department of Environmental Quality (ODEQ).

2. An "On-Site Sewage Treatment System" shall mean an individually owned on-site sewage treatment system for treatment of sewage from individual residential units only.

B. Individual Aerobic Sewage Treatment Systems.

Section 1. Individual aerobic sewage treatment systems.

"Individual aerobic sewage treatment systems" shall mean an individually owned on-site sewage treatment system that uses forced air to treat wastewater and dispenses the treated wastewater effluent by spray or drip irrigation.

Section 2. Discharge of wastewater effluent prohibited.

No property owner shall permit wastewater effluent from an individual aerobic sewage treatment system to be sprayed upon public streets, public property or property owned by another person. A minimum set-back of fifteen (15) feet shall be maintained from the surface application area to adjoining public or private street right-of-ways, public property, or property owned by another person. A minimum set-back of twenty-five (25) feet shall be maintained from the surface application area to the main residential structure

Section 3. Builder requirement for two year maintenance period.

The Builder shall provide the City of Edmond with a copy of the contractual agreement with the installer of the aerobic treatment system providing for the two year mandatory maintenance service requirement per ODEQ Title 252, Chapter 641, Subchapter 10, as one of the Builder requirements to obtain a Certificate of Occupancy (CO) from the City of Edmond. The Builder shall also provide a copy of the same maintenance contract to the homeowner along with a copy of this ordinance.

Section 4. Requirements for installation, operation, and maintenance.

Any person operating an individual aerobic sewage treatment system or permitting another to operate an individual aerobic sewage treatment system on his or her property must:

- a) Obtain and maintain all applicable permits from the Oklahoma Department of Environmental Quality (ODEQ) for the installation, operation, and maintenance of an individual aerobic sewage treatment system;
- b) Obtain the services of a Qualified Maintenance Service Provider for annual maintenance of the individual aerobic sewage treatment system to assure that it is operated and maintained in accordance with manufacturers' recommendations and requirements, and those of the Oklahoma Department of Environmental Quality. A "Qualified Maintenance Service Provider" shall mean: (a) a Certified Installer certified by the ODEQ, or (b) a maintenance service provider having at minimum a current class D wastewater license;
- c) Keep a file and logbook indicating the individual aerobic sewage treatment system is operated and maintained in accordance with this section; and
- d) Provide subsequent property owners a copy of the file and logbook and a copy of these requirements.

Section 5. Establishing responsibility for compliance and violation.

The property owner(s) and the occupants(s) shall each be responsible to submit a report of annual maintenance to the City of Edmond Building Services Department once a year. The Qualified Maintenance Service Provider must submit a report of maintenance

to the owner/occupant within 7 days of a maintenance service visit. The report of maintenance must include the date and time of service, and document all maintenance and testing performed on the system and maintain these records at his/her business for a period of three (3) years following the date of service. Upon receipt of the required report of annual maintenance and confirmation of compliance, the City of Edmond will provide the property owner with an Operation Permit good for one (1) year. A permit fee may be applicable.

The property owner(s) and the occupant(s) of property served by an individual aerobic sewage treatment system shall each be responsible for the proper installation, operation, and maintenance of the individual aerobic sewage treatment system and shall each be subject to citation for violation of any provision of this article. Fine for violation shall be a maximum of \$249 per day and all court costs, and the Operation Permit shall be revoked until the system is brought into compliance with the requirements of the provisions of this article. If the system is not brought into compliance in a reasonable amount of time, the violation will be reported to ODEQ and the owner(s) and the occupant(s) will be subject to additional fines.


SECTION 3. REPEALER. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of any such conflict.

SECTION 4. SEVERABILITY. If any section, sub-section, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion of this Ordinance.

PASSED AND APPROVED the 9<sup>th</sup> day of March, 2015.

  
MAYOR

Attest:

  
\_\_\_\_\_  
City Clerk



APPROVED as to form and legality this the 9<sup>th</sup> day of  
March, 2015.

  
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CITY ATTORNEY