

**Area of Interest: On-Site Sewage**

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**Subject: Change of Use Evaluations**

**Effective Date: 5-1-2008**

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Purpose/Application:

To establish a uniform procedure for evaluating existing on-site sewage treatment systems within the district when a property owner proposes to connect a replacement home to an existing system or proposes a building addition or other property modification to a home with an on-site sewage treatment system.

Policy Statement:

These procedures are applicable to all properties within the district when the building department is considering issuance of a building permit.

Authority for this evaluation is established in the Environmental Health Code of the Branch-Hillsdale-St. Joseph Community Health Agency, Michigan, (which was adopted pursuant to the authority conferred upon local health departments by Section 2441(1) of the Michigan Public Health Code, Act 368, 1978, as amended) in article VI, Section 600.3-Priority Over Building Permits which states:

No officer or employee of any city, village, township or county shall issue a construction permit for any new building or structure within Branch, Hillsdale, or St. Joseph Counties Michigan, which must be served by a sewage disposal facility pursuant to these Regulations, unless a permit for such sewage disposal facility has first been obtained by the owner from the Health Officer. In the case of an existing building or structure, a city, village, township or county official shall notify the health officer prior to issuance of a construction permit to ensure that any proposed construction will not adversely affect an existing sewage disposal facility.

Variances to this policy may be granted by the Director of Environmental Health as outlined in the Environmental Health Code.

Implementing Procedures:

***Replacement dwellings***

When a new dwelling is proposed that will utilize the existing on-site disposal system, the property owner shall submit an application for a change of use with field review. The field review is required so that measurements can be collected to the septic tank and disposal area to a benchmark location reasonably expected to be permanent; i.e. power pole, etc. These measurements negate the need for the sanitarian to revisit the site once the dwelling is roughed in. The site plan, when the existing system is intended to be used for the new dwelling, is critical in establishing that the new dwelling will maintain required set-backs and allow for the replacement area. Therefore, the site plan must provide accurate measurements to property lines and other permanent features of the landscape. The review by the sanitarian includes an evaluation of the proposed bedroom count, tank and field size, soil type and seasonal high water table. The sanitarian will use the following criteria when evaluating the existing system:

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1. Determine that existing sewage system is in compliance with current Environmental Health Code requirements, i.e. isolation distances both vertical and horizontal, size, etc.
2. Evaluate sewage system to determine if sub-surface disposal system is still functioning.
  - a. If unable to determine location of sub-surface disposal area because of inadequate drawing, then have owner locate and uncover system i.e. corners of drain bed, trenches or lid(s) of drywell(s).
  - b. Do borings in area of sub-surface disposal area to determine if saturated. If saturated, a new disposal area must be installed.
  - c. If drywells are more than half full then a new disposal area must be installed.
  - d. If system has not been used for an extended period of time: base approval to use existing system on condition of stone. If black do not approve, if clean and dry then can be approved.
  - e. Ensure that the system is large enough for the new dwelling.
3. Septic Tank – ensure that outlet “T” or vented elbow is in place. If the septic tank size indicated on the permit is less than 750 gallons, the septic tank capacity shall be increased to the requirement of the present Environmental Health Code.
4. Replacement Area – determine if adequate area is available on-site to install a replacement system of minimum size to meet present code. An adequate replacement area is required for a new replacement dwelling just as in any new build. (Do not assume this is true just because permit indicating approved system is on file – site conditions can change.)

***Building projects: Additions, Garages, Patios, Swimming pools, Driveways, Paved areas, etc.***

Proposals involving the addition of a deck and accessory structures of 200 sq ft or less which do not require a building permit, **do not** require a Change of Use review by this agency unless we are requested to do so by the building official.

- The BHSJCHA recognizes that some deck projects will likely affect the on-site sewage disposal system resulting in impact which could include inaccessibility of the septic tank for maintenance, placement of deck poles into the disposal bed or trench, building over a replacement area, etc. Given existing staff numbers and the inability to hire additional staff, these projects are considered less permanent and removable when necessary.

Proposals involving a building addition which requires a building permit or involves building an additional structure such as a garage, pole barn, or swimming pool, the following procedure shall apply:

1. If there is an approved permit on file at the Community Health Agency
  - a. An Office Review will be conducted when the site plan submitted with the application contains accurate measurements to property lines, existing septic tank and drainage field location, and the existing well; and these measurements match-up with what is on file.
  - b. A Field Evaluation will be necessary when an adequate site plan is not provided, the permit records do not provide needed information, or when there are discrepancies between what is on file and the site plan.

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- i. A Field Evaluation for an addition which adds bedrooms to the home consists of:
    1. Evaluate sewage system to determine if sub-surface disposal system is still functioning.
      - a. If unable to determine the location of sub-surface disposal area using the information available on the permit drawing, the property owner must locate and uncover the corners of drain bed, trenches, and/or lid(s) of dry well(s).
      - b. Borings are to be made in the area of the sub-surface disposal system to determine if saturated. If the stone is saturated, it will not be approved.
      - c. If drywells more than half full then do not approve.
      - d. If the system has not been used for an extended period of time, the location and size of the sub-surface absorption system must still be determined.
    2. If the septic tank size indicated on the permit is less than 750 gallons, the septic tank capacity shall be increased to the requirement of the present Environmental Health Code.
    3. Septic tank must be isolated at least 45 feet from well or suction line (this is standard variance for existing septic tanks installed prior to 1975). Sub-surface disposal area must be at least 50 feet from well.
  - ii. A Field Evaluation for all other projects consists of:
    1. Verification of septic tank and sewage disposal field locations
    2. Review of proposed site plan to ensure that isolation distances will be maintained to the septic tank and sewage disposal field as required.
    3. Consideration of the area remaining for septic system replacement.
2. If no permit indicating approval is on file at the Community Health Agency a Field Evaluation must be conducted.
    - a. The Field Evaluation for projects other than those that add bedrooms consist of:
      - i. Verification of septic tank and sewage disposal field locations
      - ii. Review of proposed site plan to ensure that isolation distances will be maintained to the septic tank and sewage disposal field as required.
      - iii. Consideration of the area remaining for septic system replacement.
    - b. The Field Evaluation for projects that add bedrooms to the dwelling consist of:
      - i. The septic tank and sub-surface disposal area shall be located by owner. (as in I.A.I)
        1. Septic tank shall be pumped and volume certified by licensed septic tank cleaner, or volume can be determined by physical measurement. The condition of an approved outlet device must also be determined by CHA or licensed septic tank cleaner.

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2. Septic tank and absorption area must be properly isolated from well serving the premise and existing wells on adjacent premises. Increased isolation distances are required for Type I, II and III wells.
- ii. Evaluate sub-surface disposal system to determine if it is still functioning.
  1. If owner unable to locate sub-surface disposal area, a new sub-surface disposal area (septic permit) shall be required for approval.
  2. If sub-surface disposal area is found, the corners of the drain bed, the ends of trenches, and/or the lid(s) of drywell(s) must be determined and possibly uncovered.
  3. Borings are to be made in the area of the sub-surface disposal system to determine if saturated. If the stone is saturated, it will not be approved.
  4. If drywells more than half full, then do-not approve.
- iii. If the system has not been used for an extended period of time, the location and size of the sub-surface absorption system must still be determined. Approval will be based on the adequacy of the reserve area. The reserve area shall be sized as required in the EH Code, dependent on the planned building project. A drawing of the proposed replacement area shall be prepared as a part of the Change of Use report and a copy provided to the applicant.
3. Proposed modifications which involve the addition of bedrooms and/or a room addition, for properties served with a holding tank system will not be approved.

### ***Distribution of completed Change of Use report***

The completed Change of Use report with site plan attached shall be mailed to the applicant. If requested by the applicant, a copy may be provided to the local building official.

Branch-Hillsdale-St. Joseph Community Health Agency - Environmental Health Section  
Policy Statement and Implementing Procedures

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References:

*Forms:*

- [..\On-Site Sewage Treatment Manual- Forms & Diagrams\CHANGE OF USE FORM.doc](#)
- [..\On-Site Sewage Treatment Manual- Forms & Diagrams\Change of Use application.doc](#)

*Laws/Rules/Regulations:*

- [..\..\EH CODE\EHCODE.doc](#)

*Minimum Program Requirements:*

- Does Not Apply

Approval:

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Rebecca A. Burns, M.P.H., R.S., Director of Environmental Health

Reviewed and Updated: 9/2013, 1/2015