



HISTORIC
FRANKLIN
TENNESSEE

ITEM #13
BOMA
08/24/2010

MEMORANDUM

August 18, 2010

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, ACA Community Development
Chris Bridgewater, Plumbing/Mechanical Plans Examiner

SUBJECT: Septic System Certification Program

Purpose

To finalize the City of Franklin Septic System Certification Program.

Background

In 2009, the Board of Mayor and Alderman adopted Ordinance 2009-31 that allows property owners, served by private septic systems, to continue their use after the public sanitary sewer becomes available so long as the septic systems are inspected every three years and determined to be functioning properly. Upon approval of Ordinance 2009-31 staff collaborated with County Health Department staff to develop an inspection program and process based on an "inspect and pump" process and the three (3) year inspection cycle.

After considerable discussion with the BOMA, staff developed a certification program that requires property owners to hire a city-certified sewage hauler to pump and inspect septic system tanks every five (5) years. The Building and Neighborhood Services Department would administer the certification program and charge a small administrative fee.

Financial Impact

Staff proposes a \$35 administrative fee for the "pump only" certification program. The estimated cost to the homeowner to have their septic system pumped for the required tank inspection is between \$200-\$300.

Recommendation

Staff recommends the "pump" only program that includes a "pump and tank inspection" cycle of every five (5) years and, an administrative fee of \$35.

Enclosures

Ordinance 2010-60
Resolution 2010-35
Septic System Certification Manual

RESOLUTION 2010-35

**RESOLUTION ADOPTING THE CITY OF FRANKLIN SEPTIC
SYSTEM CERTIFICATION PROGRAM MANUAL**

WHEREAS, the City of Franklin recognizes the importance of safeguarding the health and welfare of its citizens by ensuring that septic systems within the City are functioning properly through a periodic inspection program; and

WHEREAS, the City of Franklin, through the passage of Ordinance 2009-31, has recently removed the existing time requirement by which property owners must connect to the City of Franklin public sanitary sewer system should their existing private sewage disposal system be in good working order; and

WHEREAS, the City of Franklin has consulted with the Williamson County Department of Health and has developed procedures for the periodic pumping and inspection of septic systems within the City's Septic System Certification Program Manual that are in accordance with Tennessee Department of Environment and Conservation (TDEC) guidelines and the Williamson County Regulations Governing On-Site Sewage Disposal Systems;

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City Franklin, as follows:

Section 1. The Septic System Certification Program Manual for the City of Franklin is hereby adopted.

Section 2. The City Administrator and the Director of Building and Neighborhood Services are authorized to make administrative changes to the Manual as necessary to provide coherent, effective, and enforceable policies in accordance with the Franklin Municipal Code provided such changes be communicated to the BOMA prior to implementation.

Section 3. That this Resolution shall be in full force and effect from and after its passage and approval according to law.

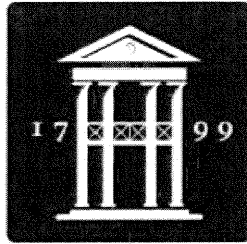
Approved this ____ day of _____, 2010

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
City Recorder/Administrator

BY: _____
JOHN C. SCHROER
Mayor



HISTORIC
FRANKLIN
TENNESSEE

CITY OF FRANKLIN SEPTIC SYSTEM CERTIFICATION PROGRAM MANUAL

Revised August 24, 2010

CITY OF FRANKLIN SEPTIC SYSTEM CERTIFICATION PROGRAM MANUAL

DATE OF PREPARATION August 10, 2010

INTENT To provide City of Franklin staff with a Manual to administer Septic System Certification.

ASSOCIATED STANDARD OPERATING PROCEDURES (SOP)

- Coordination Procedures for Septic Haulers (forthcoming)
- Condemnation of Properties Unfit for Human Habitation

PROCEDURES CONTAINED IN THIS MANUAL

- Criteria for Septic System Certification Program
- Administration
- Septic System Certification
- Failure of Inspection
- Penalties

FORMS/CORRESPONDENCE TEMPLATES (In Appendix)

- Initial Notification Letter to Homeowners
- Septic System Certification form (forthcoming)
- Malfunctioning System Letter to Homeowners

DEFINITIONS

BNS – City of Franklin Building and Neighborhood Services Department.

County Regulations - Regulations Governing On-Site Sewage Disposal Systems 2000, as adopted by the Williamson County Board of Health.

Licensed Septic Hauler - a private septic hauling company licensed by the State of Tennessee.

Septic System Certification – A certification from the City of Franklin that the septic system has been inspected by the criteria in this program and may continue to be used until the next certification cycle.

Malfunction - a private sewage disposal system is not functioning properly if sewage is surfacing upon the ground, or if there are cracks, damage, or disrepair to the septic tank that allows sewage to leak out of the tank into the surrounding soil. See also Section 22(D) of the County Regulations.

REFERENCE DOCUMENTS

- City of Franklin Municipal Code 18-204 Use of public sewers and septic systems where public sewers are provided. (as amended by Ordinance 2009-31 and 2010-60)
- City of Franklin Municipal Code, Title 22. Comprehensive Fees and Penalties.
- Regulations Governing On-Site Sewage Disposal Systems, Williamson County Board of Health, 2000, and as amended.
- "Homeowner's Guide to Septic Systems," United States Environmental Protection Agency

BACKGROUND

Septic systems within the corporate limits of Franklin are regulated through the Williamson County Department of Sewage Disposal Management. The City of Franklin Municipal Code sections 18-204 and 18-205 (www.franklin.tn.gov) as amended by Ordinance 2009-31 and 2010-60 contain further regulations on private sewage disposal systems.

Prior to the passage of Ordinance 2009-31, the Franklin Municipal Code required that homes connect to the public sanitary sewer within one hundred eighty (180) days of the public sanitary sewer becoming available for connection. With the passage of this ordinance, septic systems that are eligible for this program and are functioning can be used indefinitely if inspected and certified every three years. Ordinance 2010-60 extends the time of certification to five (5) years and only requires that the septic tank(s) be pumped and inspected.

In a meeting that included the City Administrator, the ACA Community Development, the City Engineer, the Director of Engineering, the Director of Water Management, the County Director of Sewage Disposal Management (County SDM) and the City Plumbing Official, various methods for determining compliance with Ordinance 2009-31 were discussed. A consensus was reached: that the County's criteria for **malfunctioning** septic systems were to be used for purposes of this program. If at any time the septic system was found to be malfunctioning, the homeowner would be required to connect to the public sanitary sewer system within thirty (30) days. With the passage of Ordinance 2010-60, the homeowner is required to have the septic tank(s) pumped and inspected by a private licensed septic hauler every five years.

RATIONALE FOR SEPTIC SYSTEM CERTIFICATION PROGRAM

- Failing Septic systems can contaminate surface and ground waters with bacteria and nitrates.
- In a study done by the Water and Wastewater Authority, subdivisions in the north part of Franklin had high failure rates due to poor soil conditions, age of system, and lack of maintenance.
- All septic systems will fail eventually.
- Septic systems can operate for years with no problems if properly inspected and maintained. The United States Environmental Protection Agency (U.S.E.P.A.) recommends that private septic system holding tanks are pumped every three to five (3-5) years. Williamson County Regulations

CITY OF FRANKLIN SEPTIC SYSTEM CERTIFICATION PROGRAM MANUAL

recommend pumping every two to five (2-5) years, and every two (2) years if a garbage disposal is installed on the kitchen sink.

CRITERIA FOR SEPTIC SYSTEM CERTIFICATION

All of the following criteria must be met for a property to be included in this program:

- The property must be within the Corporate Limits of Franklin.
- The property must have a private septic system.
- There must be a City of Franklin public sanitary sewer main available for connection (see Municipal Code 18-204).

*Note - The properties in the Meadowgreen Sewer Project Area are not within the corporate limits of the City and therefore this program is not applicable to these properties.

ADMINISTRATION

- Properties eligible for inclusion in this program shall be certified initially and every five (5) years thereafter. If the property has had their septic tank(s) recently pumped, the homeowner may postpone the initial pumping for a period of two (2) years from the date of pumping.
- The certification fee and penalties shall be as established in Municipal Code Title 22 – Comprehensive Fees and Penalties.
- The septic tank shall be pumped by a **licensed Septic Hauler** hired by the homeowner.
- The **licensed Septic Hauler** shall pump the septic tank and inspect the inside of the tank for malfunction.
- If at any time the septic system is determined to be malfunctioning by the Williamson County Board of Health, the certification will be withdrawn and connection to the public sanitary system will be required within thirty (30) days.
- The City shall notify the Williamson County Department of Sewage Disposal Management of Certification results.
- If the homeowner does not comply with these procedures, see the **Penalties** section.

SEPTIC SYSTEM CERTIFICATION

- Conducted by a **licensed Septic Hauler** hired by the homeowner. A list of **licensed Septic Haulers** that have been trained on the procedures of the Septic Certification Inspection Program is available at BNS. The training consists of instructing the **licensed Septic Haulers** in the administrative aspects of the program (how to fill out the forms, etc.)
- The fee for the **Septic Hauler** shall be paid by the homeowner.
- The **licensed Septic Hauler** shall pump all septic tanks and inspect the inside of the tank(s) for cracking/damage that impairs the tank's ability to hold sewage or for malfunction of the system. Any broken baffles, pipes, risers, etc. will be noted by the hauler. Any inspection issues will be

CITY OF FRANKLIN SEPTIC SYSTEM CERTIFICATION PROGRAM MANUAL

evaluated for malfunction through the Williamson County Department of Sewage Disposal Management.

- The **licensed Septic Hauler** shall complete an inspection form provided by BNS.
- The inspection form and fee payment shall be returned to BNS by the homeowner.

FAILURE OF INSPECTION

- The City shall notify the Williamson County Department of Sewage Disposal Management of inspection results.
 - If the County determines that the septic system has failed or malfunctioned then the homeowner shall have thirty (30) days from the letter date of notification to connect to the public sanitary sewer system.
 - If the County investigates and does not determine there is a malfunction, then the certification shall be issued.
- When BNS receives notification of malfunction from the County, the Plumbing Official shall mail the **Malfunctioning System Letter to Homeowners** by certified mail.
- If the homeowner cannot make the connection within thirty (30) days of the letter notification date, then the procedure outlined in the **Condemnation of Property Unfit for Human Habitation SOP** shall be followed until such time connection to the public sanitary sewer system is satisfactorily completed.

PENALTIES

- **Six (6) Week Deadline** -- Failure to complete the **certification** within six (6) weeks of the letter date of **initial notification** will result in the certification fee being doubled.
- **Three (3) month Deadline** -- Failure to complete the Septic System Certification process within three (3) months of the **initial notification** date – the inspection process shall be considered to be failed and the homeowner shall be required to connect to the public sanitary sewer.
- This program is voluntary, and should the homeowner elect not to participate and obtain certification for their septic system, he will have to connect to the public sanitary sewer. Every attempt should be made to contact the homeowner once six (6) weeks has passed to ensure that he is aware of this deadline, and the consequences of non-compliance.

APPENDIX

Form Documents

INITIAL NOTIFICATION LETTER TO HOMEOWNERS

VIA CERTIFIED MAIL, CMRRR # _____

Property Owner
Property Address
Franklin, Tennessee 37064

Notification Date: DD/MM/YYYY

Dear _____,

Recently, the City of Franklin Municipal Code was amended eliminating the one hundred and eighty (180) day time requirement for property owners served by a private sewage disposal system (or septic system) to connect to City of Franklin facilities provided their existing private sewerage disposal system functioned properly. Our records indicate that your property has a private sewage disposal system, and is eligible to become certified.

In order to obtain certification for your septic system, you are required to hire a State of Tennessee licensed septic hauler to pump out your septic tank(s) and return the certification form to the Department of Building and Neighborhood Services with a check for \$35. This should be completed within 6 weeks of the date of this letter. If certification is not completed within three (3) months of the date of this letter, then the opportunity to certify your septic system will be withdrawn and the property will be required to connect to the public sanitary sewer system.

If your septic system has been pumped out within the last two (2) years, please submit the pumping documentation to this office. The recent pumping will allow you to postpone your initial certification for two (2) years from the date of pumping.

The City of Franklin website has more information on the Septic System Certification Program at www.franklintn.gov. Additional information on septic tanks and recommended maintenance procedures are available at the offices of Williamson County Department of Sewage Disposal Management on the 4th floor of the County Administration Complex on West Main.

Sincerely,

Chris Bridgewater
Plumbing Official
City of Franklin Building and Neighborhood Services
(615) 550-6633
chris.bridgewater@franklintn.gov

Enclosure (1): Septic System Certification Form

CITY OF FRANKLIN SEPTIC SYSTEM CERTIFICATION PROGRAM MANUAL

MALFUNCTIONING SYSTEM LETTER TO HOMEOWNERS

VIA CERTIFIED MAIL, CMRRR # _____

Property Owner
Property Address
Franklin, Tennessee 37064

Notification Date: DD/MM/YYYY

Dear _____,

It has been determined that your septic system has malfunctioned. In accordance with Franklin Municipal Code 18-204, you are required to abandon your septic system, and connect to the public sanitary sewer. The deadline for connection is thirty (30) days from the notification date above.

You are directed to contact this office as soon as possible in order to begin the process of connecting your property to the public sanitary sewer system. Failure to comply may result in condemnation of your property as unfit for human habitation until connection to sewer is made.

Sincerely,

Chris Bridgewater
Plumbing Official
City of Franklin Building and Neighborhood Services
(615) 550-6633
chris.bridgewater@franklintn.gov

Enclosures (2)

Copy of Failed Inspection
New Gravity Sewer Connection for Homeowners