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JANET HOWARD

MARSHALL COUNTY RECORDER

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Marshall County Ordinance No. 2023-20 On-site Sewage Systems Ordinance

This Ordinance and all Ordinances supplemental or amended hereto shall be known as the Marshall County On-site Sewage Systems Ordinance and may be cited as such and will be referred to herein as "this Ordinance". This Ordinance will effectively repeal any recorded Ordinance and any amendments thereto.

The purpose of this Ordinance is to provide minimum standards for the prevention and suppression of disease and health risks associated with the use of on-site sewage systems and to otherwise promote public safety and welfare and protection of the environment.

This Ordinance regulates the location, installation, construction, maintenance, reconnection, replacement, alteration, and repair of all residential and commercial on-site sewage systems in Marshall County, Indiana. It also provides for the administration and enforcement of the provisions contained herein, and affixes penalties for violation.

This ordinance incorporates by reference the Indiana Department of Health Rules 410 IAC 6-8.3 Residential On-site Sewage Systems, et. seq., 410 IAC 6-10.1 Commercial On-site Sewage Systems, et seq., and Bulletin S.E. 11, The Sanitary Vault Privy, 2021 Edition, et. seq.

BE IT ORDAINED by the Board of Commissioners of Marshall County, State of Indiana, that:

Section A: Authority

The Marshall County Health Department is hereby authorized to issue residential and commercial on-site sewage system permits, collect permit fees and penalties, perform inspections, hold hearings, order or otherwise compel correction of violations of this Ordinance, and is otherwise authorized to perform all actions necessary for the administration and enforcement of this Ordinance.

Section B: Definitions

All definitions included in Indiana Department of Health Rules 410 IAC 6-8.3 et. seq. and 410 IAC 6-10.1 et. seq. are hereby incorporated into this Ordinance. Supplementary to those definitions, this Ordinance defines:

1. **Certified Individual** means an individual that passes a written proficiency test as described in Section D of this ordinance.
2. **Construction, New** means
 - a. Construction of a new home or residential outbuilding where there previously was no home or outbuilding;

- b. Rebuilding or remodeling an existing home or residential outbuilding where the footprint of the new home or outbuilding extends beyond the footprint of the previous structure; or
- c. When the design daily flow of the new structure(s) exceeds what was previously at the site.

Best judgment shall not be used for new construction.

- 3. **Construction, Repair/Replacement** means repair or replacement of a residential on-site sewage system for an existing home or residential outbuilding or the rebuilding or remodeling of an existing home or residential outbuilding on the same foundation as a previous home or outbuilding without an increase in the design daily flow of the project. In accordance with Rule 410 IAC 6-8.3, the best judgment of the Marshall County Health Department may be used, when necessary and appropriate, for the repair or replacement of a failing residential on-site sewage system.
- 4. **Designer** means an individual who designs and submits detailed on-site sewage systems construction plans to the Marshall County Health Department for review as part of a construction permit application.
- 5. **Dispersal Area** means an area located immediately adjacent to a soil absorption field, where water, after treatment in the soil, would move unimpeded away from the soil absorption field in a divergent or linear manner, used to protect and allow the soil absorption field to accept more effluent for treatment.
- 6. **Health Board** means the Health Board appointed as specified in IC 16-20-2 and having jurisdiction in Marshall County, State of Indiana.
- 7. **Health Department** means the local health department in Marshall County having jurisdiction over the installation, construction, maintenance, reconnection, replacement, alteration and repair of a residential on-site sewage system as specified in IC 16-20-1.
- 8. **Health Officer** means the person appointed as specified in IC-16-20-2-16, or the health officer's duly authorized representative, as specified in IC 16-20-1-14. The Health Officer may conduct inspections and make a decision on an enforcement action in Marshall County, State of Indiana.
- 9. **Holding tank** means a septic tank(s) or a combination of septic and dosing tanks, for which the outlet of the last tank in series has been sealed off in order to prevent sewage or effluent discharge from any tank.
- 10. **Installer** means any individual who performs any work in furtherance of construction, installation, replacement, alteration, or repair of any residential or commercial on-site sewage system in Marshall County, State of Indiana.
- 11. **Involuntary** means a need to modify or improve a dwelling or residential outbuilding due to factors outside of the owner's control, such as destruction by wind, fire, flood, or other natural disaster, or due to condemnation of a dwelling.
- 12. **Notice of Violation** means a written notification of an ordinance, rule, or statute violation.
- 13. **On-site sewage system malfunction** or **Malfunction** means a residential or

commercial on-site sewage system component that is not functioning in accordance with this ordinance or per manufacturers' requirements. Residential on-site sewage system malfunction does not have to meet the definition of residential on-site sewage system failure. Malfunction may include, but is not limited to, one (1) or more of the following:

- a. The backup of sewage into an upstream on-site sewage system component;
 - b. The liquid level in a septic tank above the invert of the septic tank outlet;
 - c. An outlet filter that is plugged sufficiently to cause backup in the septic tank;
 - d. The liquid level in a dosing tank above the invert of the dosing tank inlet;
 - e. The liquid level in a treatment unit above that recommended by the manufacturer;
 - f. The liquid level in a distribution box consistently above the invert of the outlets or a distribution box that does not provide equal distribution;
 - g. Structural failure of a septic tank, dosing tank, treatment unit, distribution box or other required component;
 - h. Electrical failure of a float or transducer, an effluent pump, alarm, or other electrical component of an on-site sewage system, or
 - i. Removal of an effluent pump or a system component if that pump or component was required in the original permit.
14. **Order** (derived from IC 4-21.5-1-9) means a Marshall County Health Department action of particular applicability that determines the legal rights, duties, privileges, immunities, or other legal interests of one (1) or more specific persons. The term includes a Permit.
15. **Registered Individual** means a certified individual who registers with the Marshall County Health Department.
16. **Service provider** means an individual who meets the minimum requirements set by the Marshall County Health Department for providing evaluation and maintenance of an on-site sewage system under the provisions of this ordinance.
17. **Soil boring** means an excavation made by a soil auger, probe, or similar small diameter drilling equipment used to pull multiple shallow soil cores out of the ground which are used for providing a description of soil horizons.
18. **Soil pit** means an excavation that is at least two (2) feet wide and sufficiently deep and long for the soil scientist to observe and describe the undisturbed soil profile.
19. **Temporary Benchmark** means any object whose elevation is assumed arbitrarily and is used as a point of reference until completion of the project.
20. **Voluntary** means an owner's intentional or deliberate action to construct modify or improve a dwelling or residential outbuilding.

Section C: Construction Permits for on-site sewage systems

1. Where a sanitary sewer system is not available, all persons owning, leasing, or otherwise occupying property shall comply with the requirements of Rules 410 IAC 6-8.3 et. seq., 410 IAC 6-10.1 et. seq., and/or Bulletin S.E. 11 as applicable, and the

- provisions of this ordinance for an on-site sewage system.
2. An on-site sewage system construction permit shall be obtained by a property owner, or agent of the owner, prior to the start of construction of a home, a residential outbuilding with plumbing, or a commercial facility.
 3. The application for a construction permit issued by the Marshall County Health Department shall include:
 - a. A completed application form as provided by the Marshall County Health Department;
 - b. An on-site soil evaluation report submitted by the soil scientist;
 - c. A floor plan of the home, residential outbuilding, and/or commercial project;
 - d. Scaled, written plans of sufficient clarity that it can be verified that the design of the on-site sewage system complies with the applicable rule and this ordinance;
 - e. A copy of any necessary recorded easements; and
 - f. Anything else deemed necessary by the Marshall County Health Officer.

Section D: Professional standards

1. All on-site sewage system installers, designers, evaluators, inspectors, and service providers providing services in Marshall County shall abide by all associated requirements in state statutes, rules, and this ordinances regarding onsite sewage systems.
2. An individual must register with Marshall County Health Department if they provide on-site sewage system installation, including new installation, repair, replacement, alteration or abandonment; design; evaluation; inspection; and/or service to property owners in Marshall County, Indiana. Registration requires either:
 - a. Applying to Marshall County Health Department for registration by
 - i. Completing the Marshall County Health Department registration form;
 - ii. Paying the appropriate registration fee as required in the Marshall County Health Department Fee Ordinance.
 - iii. Providing proof of certification by:
 1. Passing an examination offered by the Marshall County Health Department;
 2. The Indiana Onsite Wastewater Professionals Association (IOWPA) for the type of system(s) to be installed, designed, evaluated, inspected, or serviced; or
 3. Another entity approved by the Marshall County Health Department; or
 - b. Providing proof of:
 - i. Current, valid registration in another Indiana County;
 - ii. Providing proof of certification from IOWPA for the type of system(s) to be installed, designed, evaluated, or serviced;

- iii. Providing proof of membership in good standing with IOWPA; and
 - iv. Paying the appropriate registration fee as required in the Marshall County Health Department Fee Ordinance.
3. Registration is valid from January 1 to December 31 of the same year and must be renewed annually. Proof of continued registration in another county and/or certification is required for renewal of registration.
 4. Certification must be maintained throughout the period of registration. A lapse of certification will render the registration with Marshall County Health Department invalid.
 5. A certification examination will be offered no less than monthly by the Marshall County Health Department.
 - a. The test will consist of 100 number of questions all of which will be true/false or multiple choice.
 - b. A score of eighty percent (80%) or above is considered passing.
 - c. A retest will be allowed for anyone failing the test no more frequently than once per week.
 6. A registered installer, evaluator, or service provider must be on-site at all times during installation, evaluation, or service is being provided.
 7. A registered designer must approve a construction plan prior to submittal of the plan for review by the Marshall County Health Department.
 8. A lapse of certification and/or registration or repeated violation of any state statute, rules, or this ordinance pertaining to on-site sewage systems may result in revocation or denial of renewal of a registration. An appeal of registration revocation or denial of registration renewal may be appealed to the Marshall County Board of Health.
 - a. The period of revocation shall be no less than ninety (90) days, or a time period deemed appropriate by the Marshall County Health Officer; and
 - b. The registered individual shall be advised in writing for the basis of the revocation, the right and procedure for appeal and the opportunity for a hearing.

Section E: On-site soil evaluation

1. An on-site soil evaluation is required, as described in Rule 410 IAC 6-8.3 or Rule 410 IAC 6-10.1, prior to permit issuance for all residential and commercial sites where a soil absorption field is to be installed, expanded, or replaced and as needed for repairs.
2. A minimum of three (3) soil borings and/or soil pits are required to be evaluated in the area of the soil absorption field. The Marshall County Health Department may request additional soil borings or soil pits if deemed necessary by the Marshall County Health Officer.
3. The on-site soil evaluation report created from the evaluation of the soil profile must be signed by the professional soil scientist and submitted directly to the Marshall County Health Department by the soil scientist.

Section F: Recommended set-aside areas

1. All lots that will utilize on-site sewage systems platted after the effective date of this ordinance shall have at least one (1) acre of land.
2. It is recommended that for new construction, two (2) areas on each lot be evaluated by a soil scientist for suitability for installation an on-site sewage system and plans for the property include preservation of the set-aside area. In the event of system failure or malfunction, the set-aside area should remain undisturbed and available for installation of a replacement system.
3. No residential on-site sewage system construction permit will be denied due to lack of a suitable set-aside area alone.

Section G: Septic tank requirements

1. The minimum capacity of any septic tank installed in Marshall County shall be 1000 gallons.
2. All septic tanks proposed for use in Marshall County shall be listed on the current Indiana Department of Health list of Approved Manufactured Septic Tanks.
3. All septic tanks installed in Marshall County shall have risers to final grade on both the inlet and the outlet. A riser to final grade over a divider wall in a two compartment tank may be used in place of a riser to final grade over the inlet.
4. A secondary childproof plug shall be installed according to manufacturer's requirements under each lid with access to the surface.
5. All septic tanks proposed for re-use with a replaced soil absorption field shall:
 - a. Be tested and found to be watertight;
 - b. Have a riser extending to final grade over the outlet access; and
 - c. Have an outlet filter installed in the outlet end of the tank or in a separate secondary structure.

Section H: Sewage holding tanks

1. A sewage holding tank is an alternative method of sewage disposal pursuant to IC 16-41-25-9.
2. An application must be filed by the property owner or property owner's agent including:
 - a. An application form provided by the Marshall County Health Department;
 - b. A construction plan of sufficient clarity to show compliance with this ordinance;
 - c. A copy of a written contract with an operator of a septage management vehicle providing for the removal of septage at regular intervals; and
 - d. A written statement, signed by the property owner, indicating that copies of all receipts and other records as requested be submitted to the local health department within ten (10) days of service.
3. All sewage holding tanks shall
 - a. Have a minimum capacity of the greater of
 - i. one thousand (1,000) gallons; or

- ii. at least two (2) times the design daily flow of the home or commercial structure as determined by Rule 410 IAC 6-8.3 or Rule 410 IAC 6-10.1; and
 - b. Have a capacity of no more than 10,000 gallons.
4. A sewage holding tank shall meet all separation distances required for a septic tank in Rules 410 IAC 6-8.3 and 410 IAC 6-10.1.
 5. A sewage holding tank shall meet all construction requirements of septic tanks in Rules 410 IAC 6-8.3 and 410 IAC 6-10.1.
 6. All sewage holding tanks shall have at least one riser to the surface for ease in pumping the tank. A secondary childproof plug shall be installed under any riser to the surface.
 7. A construction permit issued by the Marshall County Health Department is required prior to the installation of the holding tank or gravity sewer.
 8. For sewage holding tanks that will serve facilities that are regulated by the Indiana Department of Health (campgrounds, youth camps, mobile home parks, agricultural labor camps, and medical facilities), written approval from the Indiana Department of Health shall be required prior to issuance of a construction permit for the sewage holding tank.
 9. A gravity sewer, meeting the requirements for a residential sewer in Rule 410 IAC 6-8.3 or the requirements for a building sewer in Rule 410 IAC 6-10.1 shall be used to make a direct connection between the plumbing of the structure with plumbing and the holding tank.
 10. All sewage holding tanks installed in Marshall County shall have:
 - a. an installation inspection to confirm proper installation and to confirm the outlet of the last tank has been appropriately sealed prior to backfilling; and
 - b. an audible and visible alarm that will activate when the level in the tank reaches two-thirds (2/3) of the tank's capacity;
 - c. the alarm wired in by an electrician and verified operational.
 11. All holding tanks shall be required to have an operating permit issued by the Marshall County Health Department.
 - a. The construction permit issued for the installation of the holding tank shall also serve as the operating permit for the first two (2) years of service.
 - b. An operating permit for a sewage holding tank shall be valid for a period of two (2) years from the date of issuance.
 - c. An operating permit shall be renewed prior to, or within ten (10) days of, expiration.
 - d. An operating permit fee as stated in the Marshall County Health Department Fee Ordinance shall be due at the time of operating permit renewal.
 12. All receipts from pumping and maintenance of a sewage holding tank and other documents for repair or modification of a sewage holding tank need to be submitted to the local health department within thirty (30) days of service via digital transmission or hard copies provided to the Marshall County Health Department.

13. An operating permit not renewed within ten (10) days of expiration or a sewage holding tank not operated in a safe and sanitary manner, including receipts and other paperwork not submitted as required, is a violation of this ordinance and may be subject to penalty as described in Section N of this ordinance, permit revocation, and/or denial of permit renewal.
14. Use of a sewage holding tank must be discontinued if:
 - a. Connection to an approved on-site sewage system becomes available to the owner; or
 - b. Connection to sanitary sewer becomes available within three hundred (300) feet of the property line on which the sewage holding tank is being used.
15. Upon connection to an on-site sewage system or sanitary sewer, the sewage holding tank shall be abandoned unless it will be converted for use as a septic tank or a dosing tank in an on-site sewage system.

Section I: Distribution boxes

1. All distribution boxes installed in any residential or commercial on-site sewage system in Marshall County shall have a riser that extends to final grade. The lid to the box or riser must be safely secured to prevent accidental entry.
2. All distribution boxes shall be stabilized so as to prevent movement during installation and operation.
3. All distribution boxes must have a baffle consisting of a sanitary tee in the vertical position, at least the same diameter as the effluent sewer or effluent force main entering the box. The sanitary tee must extend to within two (2) inches of the bottom of the box and there must be at least one (1) inch head clearance between the top of the tee and the interior bottom of the lid.

Section J: Sand lined system sizing

1. The use of sand lined system technologies approved by the Indiana Department of Health is permitted within Marshall County.
2. The required square footage of the absorptive area of any sand lined system in Marshall County shall be based upon the soil loading rates in Tables IV and V in Rule 410 IAC 6-8.3 or Tables V and VI in Rule 410 IAC 6-10.1.
3. In cases where best judgment of the Marshall County Health Department is necessary and approved, consideration will be given to sizing of the sand lined system absorptive area based upon the appropriate Indiana Design and Installation Manual as approved by the Indiana Department of Health.

Section K: Construction and Final Inspections

1. A permit for the installation, construction, reconnection, replacement, alteration, or repair of an on-site sewage system shall not constitute final approval of such system until the same is completed to the satisfaction of the Marshall County Health Officer

- or the Health Officer's duly appointed representative.
2. The property owner, or agent of the property owner, shall notify the Marshall County Health Officer before the start of construction or installation of any component of the on-site sewage system.
 3. The Marshall County Health Officer may inspect the work at any stage of the construction.
 4. The property owner, or agent of the property owner, shall notify the Marshall County Health Officer for a final inspection of the on-site sewage system at least two (2) working days, not counting holidays or weekends, prior to covering any component of the on-site sewage system not previously inspected and approved.
 5. The issuance of a construction permit shall serve as due notice to the property owner that the Marshall County Health Officer, bearing proper credentials and identification, shall be permitted to enter upon the property on which the on-site sewage system is being installed at reasonable times for the purposes of inspections, observations, measurements, sampling, and testing necessary to complete construction and final inspections.

Section L: Connection or Reconnection to an existing on-site sewage system

1. An existing residential or commercial on-site sewage system may be considered for reconnection to a new or replacement dwelling, residential outbuilding, or commercial facility if:
 - a. The system is inspected by a qualified (or registered) system evaluator and found to consist minimally of a septic tank and a soil absorption field that has not failed or malfunctioned;
 - b. Either:
 - i. The original system installation was permitted through the Marshall County Health Department; or
 - ii. The original system was not permitted through the Marshall County Health Department, but a registered individual develops a plan of the site and system showing compliance with the rules and this ordinance; and
 - c. The existing system is appropriately sized for the structure to be served.
 - i. If the connection or reconnection is due to involuntary events, the Marshall County Health Department may utilize their best judgment for system sizing when approving a connection or reconnection to an existing system.
 - ii. If the connection or reconnection is due to voluntary events, the system being connected to must meet the requirements of the appropriate rule, unless the site meets the requirements of the definition of repair or replacement construction in this ordinance.
2. A construction permit for connection or reconnection to an existing on-site sewage system shall be obtained prior to the start of construction of the structure to be served by the residential or commercial on-site sewage system.

Section M: Enforcement

1. Whenever the Health Officer determines there are reasonable grounds to believe that there has been a violation of this Ordinance, Rule 410 IAC 6-8.3 or Rule 410 IAC 6-10.1 the Marshall County Health Officer shall issue a Notice of Violation to the person or persons responsible, as hereafter provided. Such notice shall:
 - a. Indicate the date and location of the violation.
 - b. Clearly indicate the nature of the violation and the related Ordinance, statute, and/or rule citation.
 - c. Allow a reasonable time for the performance of necessary remediation.
 - d. Be properly served upon the person(s) responsible. Proper service shall include any of the following:
 - i. Sent to the person directly via first class mail;
 - ii. Sent by certified mail to the last known mailing address of the person;
 - iii. Posted in a conspicuous place in or about the property affected by the notice; or
 - iv. Other method of service authorized or required under the laws of this state.
2. After receiving an order in writing from the Marshall County Health Officer, the owner of the property shall comply with the provisions of this ordinance and/or rule as set forth in said order and within the time limit specified therein. Said order shall be served on the owner but may be served on any person who, by contract with the owner, has assumed the duty of complying with the provisions of an order. Failure to comply with such order shall constitute a violation of this ordinance and the violator shall be subject to the penalties as prescribed in Section N of this ordinance.
3. The Marshall County Health Officer may compel an immediate stop work order of work completed, in progress, or planned, which is in violation of any provision(s) of this ordinance. Such stop work order shall:
 - a. Result in the immediate suspension of all work at the worksite; and
 - b. Be posted at the construction site and confirmed by written notice to the owner or occupant of the premises and any person engaged in the performance of said work or any person causing such work to be performed.
 - c. Failure to comply with such stop work order shall constitute a violation of this ordinance and the violator shall be subject to the penalties as prescribed in Section N of this ordinance.
4. Whenever the Marshall County Health Officer finds that an emergency exists which requires immediate action to protect public health, the Marshall County Health Officer may, without notice or hearing, issue an emergency order declaring the existence of such an emergency and require that action be taken as the Health Officer deems necessary. Notwithstanding the other provisions of this ordinance, Rule 410 IAC 6-8.3, Rule 410 IAC 6-10.1, and Bulletin S.E. 11, such order shall be effective immediately.
5. Any person to whom such an emergency order is directed shall comply therewith

immediately, but upon petition to the Marshall County Health Officer, shall be afforded a hearing, as soon as possible in the manner provided in Section O.

Section N: Penalties

1. Any person, firm or entity found to be in violation of any provision of this Ordinance and/or rule shall be fined not more than twenty-five hundred dollars (\$2,500.00). Each day after the expiration of the time limit for abating unsanitary conditions and completing improvements to abate such conditions as ordered by the Marshall County Health Department shall constitute a distinct and separate offense.
2. The Marshall County Health Department shall also be entitled to seek any other legal remedy available against any person who shall violate any provision of this ordinance and/or rule.
3. The Marshall County Health Department shall be entitled to seek all legal fees incurred during enforcement of this ordinance and/or rule.
4. The penalties provided in this section shall be cumulative, and not exclusive, and shall be in addition to any other remedy provided by law.

Section O: Procedure for Appeal

1. Appeals may be filed with the Marshall County Board of Health for any of the following decisions or actions taken by the Marshall County Health Officer:
 - a. Denial of a permit to install, construct, reconnect, replace, alter or repair an on-site sewage system, holding tank, or sanitary vault privy;
 - b. Revocation of a permit;
 - c. The issuance of a notice of violation, a stop work order, or an emergency order as prescribed in Section M of this ordinance;
 - d. Registration revocation, or duration of revocation, or denial of registration renewal as prescribed in Section D; or
 - e. A penalty as prescribed in Section N.
2. Any person(s) filing such appeal shall be granted a hearing on the matter before the Marshall County Health Board. The request shall be in writing and received at the office of the Marshall County Health Department within ten (10) calendar days of receipt of the notice. If a request for hearing is not received within the ten (10) calendar days, the decision or action shall stand.
3. Such request shall briefly state the reasons for the requested hearing. Upon receipt of a request for a hearing, the Marshall County Health Officer shall arrange a time and a place for such hearing and shall give the petitioner written notice thereof.
4. Such hearing shall be held as soon as practical after receipt of the request in compliance with IC 5-14-1,5-5 (Open Door Law).
5. At such hearing, the petitioner shall be given the opportunity to be heard and to show evidence as to why such decision or action should be modified or withdrawn. Additionally, the Health Officer shall be given time to explain the circumstances of the

decision and/or action.

6. The proceedings at such hearing, including the findings and decision of the Marshall County Health Board, shall be summarized in the minutes of the hearing and entered as a matter of public record in the office of the Marshall County Health Department. In addition, all pertinent information including, but not limited to, permit application and written correspondence, shall be included in the public record. Any person may seek relief thereof from any court of competent jurisdiction as provided by the law of the state.

Section P: Remedies

1. Upon refusal or neglect of any person to correct an unlawful or unsanitary condition when the abatement of the condition has been ordered in writing by the Health Officer or an appeal against the decision and/or action has been sustained by the Health Board, the Health Officer may, through the office of the Marshall County attorney, or an attorney representing the Health Department, institute proceedings in the judicial court district wherein the offense occurs for enforcement by prohibitory or mandatory injunction to restrain any person from violating the provisions of this ordinance.

Section Q: Fee Schedule

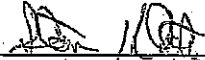
1. All applicable fees as set forth in the Marshall County Health Department Fee Ordinance and any amendments or revisions hereafter, shall be made payable to the Marshall County Health Department.

Section R: Conflict of Ordinance and Severability

1. In any case where a provision of this ordinance is found to be in conflict with a provision of any code of Marshall County, Indiana, existing on the effective date of this ordinance, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of any other code of Marshall County, Indiana, existing on the effective date of this ordinance which establishes a lower standard for the promotion and protection of the health and safety of the people, are hereby declared to be repealed to the extent that they may be found in conflict with this ordinance.
2. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this ordinance, which shall remain in full force and effect, and to the end the provisions of this ordinance are hereby declared to be severable.

Dated: November 6, 2023

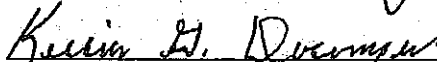
MARSHALL COUNTY COMMISSIONERS



Stan Klotz, President

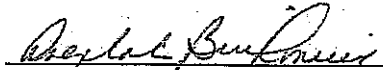


Michael D. Burroughs, Vice President



Kevin G. Overmyer

ATTEST:



Angela C. Birchmeier, Auditor