

## **IC 16-41-25**

### **Chapter 25. Health, Sanitation, and Safety: Residential Septic Systems**

#### **IC 16-41-25-1**

##### **Plan review; permit rules; septic systems in fill soil in certain counties**

Sec. 1. (a) The state department shall adopt rules under IC 4-22-2 that provide for a reasonable period not exceeding forty-five (45) days in which a plan review and permit for residential septic systems must be approved or disapproved.

(b) This subsection applies to a county with a population of more than seventy-four thousand (74,000) but less than eighty thousand (80,000). As used in this subsection, "fill soil" means soil transported and deposited by humans or soil recently transported and deposited by natural erosion forces. A rule that the state department adopts concerning the installation of residential septic systems in fill soil may not prohibit the installation of a residential septic system in fill soil on a plat if:

- (1) before the effective date of the rule, the plat of the affected lot was recorded;
- (2) there is not an available sewer line within seven hundred fifty (750) feet of the property line of the affected lot; and
- (3) the local health department determines that the soil, although fill soil, is suitable for the installation of a residential septic system.

*As added by P.L.2-1993, SEC.24. Amended by P.L.167-1999, SEC.1; P.L.170-2002, SEC.110.*

#### **IC 16-41-25-2**

##### **Violations**

Sec. 2. (a) Except as otherwise provided, a person who recklessly violates or fails to comply with rules adopted under section 1 of this chapter commits a Class B misdemeanor.

(b) Each day a violation continues constitutes a separate offense.  
*As added by P.L.2-1993, SEC.24. Amended by P.L.150-1996, SEC.1.*

#### **IC 16-41-25-3**

##### **Residential septic systems installed after July 1, 1996; requirements; enforcement**

Sec. 3. (a) This section applies only to residential septic systems that are installed after July 1, 1996, and that use a raiser that is more than six (6) inches in diameter and opens to ground level.

(b) Each opening to an underground tank of a residential septic system that allows access from ground level must be covered with a lid or top that is securely fastened.

(c) Below a residential septic system's lid or top described in subsection (b), the tank of the residential septic system must have a cap or plug.

(d) A person who installs a residential septic system after June 30,

1996, commits a Class B infraction if the residential septic system does not meet the requirements of this section.

(e) Each local health department established within a county under IC 16-20-2-2 shall enforce this section in the county.

*As added by P.L.150-1996, SEC.2.*