

# Kershaw County Planning and Zoning Department

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## Lake Wateree Overlay District On-Site Sewage Disposal System Regulations Section 3:7.4-8, Unified Code of Zoning and Land Development Regulations

### A. Definitions

**Failed System** - A failed system means any sewage disposal system that does not adequately treat and dispose of sewage that consequently creates a public or private nuisance or threat to public health and/or environmental quality as evidenced by, but not limited to, one (1) or more of the following conditions:

1. Failure to accept sanitary sewage into the building sewer.
2. Discharge of sanitary sewage to a basement, subsurface drain, surface drain, or surface water unless expressly permitted by SCDHEC.
3. Sanitary sewage rising to the surface of the ground over or near any part of an onsite wastewater disposal system (OSDS) or seeping down-gradient from the drain field at any change in grade, bank, or road cut.
4. Any deterioration or damage to any OSDS that would preclude adequate treatment and disposal of wastewater. For example, damage from a vehicle driven over the drain field or septic tank.
5. A septic tank that is not constructed to be watertight (e.g., bottomless tank) as required to hold wastewater for primary treatment prior to discharging to a drain field.
6. The presence of a grease trap to which kitchen waste is discharged and which is not connected to the septic tank or drain field.

**Good Operating Condition** - Good operating condition means an OSDS that, upon inspection, is determined to function in a sanitary manner; prohibits the discharge of untreated or partially treated wastewater onto the ground surface, into surface water, or into ground water; and allows building plumbing to discharge rapidly.

**Inspector** - Any person licensed by SCDHEC to install, repair, service, monitor, or inspect an OSDS. At such time as regularly scheduled SCDHEC Septic System Inspector Training Workshops become available, inspectors shall successfully complete such workshops.

**On-Site Sewage Disposal System (OSDS)** - Any system, piping, tanks, drain fields, alternate toilets, or other facilities designed to function as a unit to convey, store, treat, and/or dispose of sanitary sewage by means other than discharge into a public sewer. For purposes of this regulation an OSDS shall mean any septic tank or other on-site sewage disposal system.

- B. **Applicability** - These regulations shall apply to all new and existing OSDS installations within the Lake Wateree Overlay District. In no way do the provisions of these regulations abrogate the powers and duties of SCDHEC of their responsibilities for the permitting and enforcement of wastewater systems.
- C. **New Installations** - Any new or replacement OSDS installed within the LWOD shall be required to include an access manhole built into the lid over each compartment of the tank, and over the outlet end of the septic tank with risers and access manholes extending to within six (6) inches of the ground surface. An appropriate mechanism shall be provided to make the access manholes vandal, tamper, and child resistant.
- D. **Inspections of Existing Installations** - The following regulations shall apply to all OSDS within the LWOD installed prior to the effective date of this Ordinance, as well as all OSDS within the LWOD installed subsequent to the effective date of this Ordinance.
  1. **Inspections Prior to Sale of Real Estate Interest** - As of the effective date of this Ordinance, prior to the sale of any ownership interest of a lot containing an OSDS, the seller of interest shall provide the buyer

with a written inspection report of the system prepared by an inspector. Sale of ownership interest does not include the conveyance by gift or inheritance from one family member to another. The inspection shall occur no earlier than sixty (60) days prior to the sale. Prior to the inspection, a pump-out of the septic tank is required to insure a proper inspection of the interior of the tank, to check for leaks from the building, and to check for saturated conditions in the drain field. A copy of the inspection report and sewage disposal manifest from the pumping contractor shall be submitted to the Building Official within ten (10) days of the inspection. The inspection report shall certify that the system is in good operating condition. Otherwise, the following actions shall be taken:

- a. **Minor Repairs or Alterations** - If the inspector determines that minor repairs or alterations are needed to bring the OSDS into good operating condition (such as replacing cracked lids and missing or broken tees and baffles), such work shall be done within ninety (90) days of the inspection. Evidence of said work shall be submitted to the buyer or prospective buyer and a copy submitted to the Building Official.
  - b. **Failure Evaluation and Repairs** - If the inspector determines that the OSDS has failed, as herein defined, the Building Official shall notify SCDHEC of the failure within five (5) days of receiving the inspection report. The property owner shall:
    - 1.) Contact SCDHEC within fifteen (15) days of the inspection to request a failure evaluation and course of corrective action by a licensed contractor.
    - 2.) Submit evidence of repairs to the buyer or prospective buyer and the Building Official within sixty (60) days of repairs.
2. **Inspections Prior to Renovations** - As of the effective date of this Ordinance, prior to the issuance of a building permit for renovations, the applicant shall provide to the Building Official a written inspection report of the system prepared by an inspector. For purposes of this regulation a renovation shall mean any addition (including structural and plumbing fixtures with waste lines), replacement, demolition, and reconstruction, or modification of an existing structure on the subject property such that the renovation results in an increased flow into the system, or adds bedroom(s) and/or significant water-using fixtures to the structure (bathroom, hot tub, laundry room, etc.). Sewage flows shall be determined in conformance to SCDHEC Regulation 61-56. Prior to the inspection, a pump-out of the septic tank is required to insure a proper inspection of the interior of the tank to check for leaks from the building, and to check for saturated conditions in the drain field. A copy of the inspection report and sewage disposal manifest from the pumping contractor shall be submitted to the Building Official within ten (10) days of the inspection. The inspection report shall certify that the system is in good operating condition. Otherwise, the following actions shall be taken:
- a. **Minor Repairs or Alterations** - If the inspector determines that minor repairs or alterations are needed to bring the OSDS into good operating condition (such as replacing cracked lids and missing or broken tees and baffles), such work shall be done within ninety (90) days of the inspection. Evidence of said work shall be submitted to the Building Official.
  - b. **Failure Evaluation and Repairs** - If the inspector determines that the OSDS has failed, as herein defined, the Building Official shall notify SCDHEC of the failure within five (5) days of receiving the inspection report. The property owner or his contractor shall:
    - 1.) Contact SCDHEC within fifteen (15) days of the inspection to request a failure evaluation and course of corrective action by a licensed contractor.
    - 2.) Submit evidence of repairs to the Building Official within sixty (60) days of repairs.
3. **Inspections Prior to Change of Occupancy** - As of the effective date of this Ordinance, prior to the issuance of a use permit and any subsequent required building permits for a change of occupancy that is likely to result in an increase in sewage flow into the system, the applicant shall provide the Building Official with a written inspection report of the system prepared by an inspector. Sewage flows shall be determined in conformance to SCDHEC Regulation 61-56. Prior to the inspection, a pump-out of the septic tank is required to insure a proper inspection of the interior of the tank, to check for leaks from the

building, and to check for saturated conditions in the drain field. A copy of the inspection report and sewage disposal manifest from the pumping contractor shall be submitted to the Building Official within ten (10) days of the inspection. The inspection report shall certify that the system is in good operating condition. Otherwise, the following actions shall be taken:

- a. **Minor Repairs or Alterations** - If the inspector determines that minor repairs or alterations are needed to bring the OSDS into good operating condition (such as replacing cracked lids and missing or broken tees and baffles), such work shall be done within ninety (90) days of the inspection. Evidence of said work shall be submitted to the Building Official.
- b. **Failure Evaluation and Repairs** - If the inspector determines that the OSDS has failed, as herein defined, the Building Official shall notify SCDHEC of the failure within five (5) days of receiving the inspection report. The property owner or his contractor shall:
  - 1.) Contact SCDHEC within fifteen (15) days of the inspection to request a failure evaluation and course of corrective action by a licensed contractor.
  - 2.) Submit evidence of repairs to the Building Official within sixty (60) days of repairs.
4. **Time Between Inspections** - If an inspection has been conducted pursuant to a sale of real estate interest or a change of occupancy within three years of a subsequent sale of real estate interest or change of occupancy of the subject site, a new inspection shall not be required unless the sale or change of occupancy will result in increased sewage flow into the system.
5. **Specialized (Engineered) Onsite Wastewater Systems** - This section applies to specialized onsite wastewater systems that have been permitted and installed in accordance with SCDHEC Regulations R.61-56 system standards for specialized onsite wastewater system designs (less than 1500 GPD).

Specialized onsite wastewater systems are exempted from the inspections prior to sale of real estate interest, prior to renovations, and prior to change of occupancy under the following condition:

- a. Upon submittal of documentation that the specialized onsite wastewater system has been inspected and maintained in accordance with the manufacturer's recommendations for operation and maintenance of the system, as well as the consulting Professional Engineer's plans for compliance of the manufacturer's recommendations. If such documentation cannot be presented, an inspection shall be required to certify that the manufacturer's recommendations for operations and maintenance of the system are current and that the system is functioning satisfactorily in accordance with the consulting Professional Engineer's plan.