

January 25<sup>th</sup>, 2021

## **NOTICE: SANITARY SEWER PROJECT AND EXEMPTION CRITERIA**

The Wells County Regional Sewer District (WCRSD) will be completing a sanitary sewer construction project starting in the Spring of 2021. Your property has been identified as either a customer (connection) to the sanitary sewer system, or to be potentially affected by the construction. Per Indiana Code (IC 13-26-5), homes within the project area will be required to connect to the new sanitary sewer after construction is complete. Construction is expected to be complete around the Fall of 2021. If you will be connecting to the sanitary sewer, you will be provided more detailed information in the future about connection requirements and specific timing of your connection. Other property owners receiving this notice may be affected by the construction project due to your property being along the route of the sewer lines.

In the past, property owners have commented that they believe their existing septic system meets the county/state requirements and feel they should not be required to connect to the new sanitary sewer collection system. Indiana law allows for a process to determine whether you are eligible for an exemption from this connection requirement. Please see the enclosed NOTICE and procedure to claim exemption which is enclosed. More specifically, you may be required to discontinue use of your septic tank soil absorption system. Your property may qualify for an exemption from the requirement to discontinue the use of your septic tank soil absorption system. The NOTICE sets forth the specific requirements for a property owner to be exempt from the requirement to connect to a sewer district's sewer system and discontinue use of a septic tank soil absorption system.

**If you believe your property meets the requirements specified in the NOTICE and you desire to claim an exemption, YOU MUST:**

1. Notify the Wells County Regional Sewer District in writing that you believe your system qualifies you for an exemption from the connection requirement within sixty (60) days after the date of **this** written notice; and
2. Provide the District with the written determination of exemption required and specified in the NOTICE within 120 days after your notice to the District under paragraph #1 that you are claiming an exemption.

**\*Please see the attached Notice and Exemption-Claim Form**

The WCRSD Board of Trustees still have a number of tasks to complete prior to beginning construction, including receipt of easement documents, construction bidding, grant and construction loan closing as well as the adoption of a rate ordinance. The board welcomes your involvement in the process and invites you to contact any of the board members or to attend our meetings normally held on the 2<sup>nd</sup> Monday of each month at 6:30 PM at the

Wells County Carnegie Annex building. The meeting schedule is published in the Bluffton News Banner and on the RSD website *wellsrsd.com*.

Location: 223 West Washington Street, Bluffton, IN 46714  
Council/Commissioner's Room

Sincerely,

WCRSD Board: Mike Mossburg, Lewis A. Brown, Leon Berning, Andy Stoller, Bruce K. Stinson

Lana Beregszazi, Project Manager

January 25<sup>th</sup>, 2021

## NOTICE CONCERNING POSSIBLE EXEMPTION

- 1) As a property owner, you may be required to discontinue the use of a septic tank soil absorption system you are now using.
- 2) You may qualify for an exemption from the requirement to discontinue the use of the septic tank soil absorption system; and
- 3) The procedure set forth in this notice describes the requirements to be eligible for an exemption, the length of an exemption and the process to claim an exemption.

### EXEMPTION ELIGIBILITY

A property owner is exempt from the requirement to connect to a district's sewer system and to discontinue use of a septic tank soil absorption system if the following conditions are met:

- (1)** The property owner's septic tank soil absorption system was new at the time of installation and was approved in writing by the local health department.
- (2)** The property owner, at the property owner's own expense, obtains a written determination from the local health department or the department's designee that the septic tank soil absorption system is not failing (**complete and file Exemption Claim Form**). The local health department or the department's designee shall provide the owner with a written determination not later than sixty (60) days after receipt of the owner's request. If the local health department or the department's designee fails to provide a written determination within the time established in this subdivision, the owner, at the owner's expense, may obtain a written determination from a qualified inspector. If the local health department or the department's designee, determines that a septic tank soil absorption system is failing, the property owner may appeal the determination to the board of the local health department. The decision of the board is final and binding.

**(3)** A property owner that qualifies for an exemption may not be required to connect to the district's sewer system for a period of ten (10) years beginning on the date the new septic tank soil absorption system was installed. A property owner with an approved exemption may apply for two (2) five (5) year extensions of the exemption by filing an extension request with the Wells County Health Department. The Health Department may require an inspection of the system at the time of each request for extension.

**(4)** The total period during which a property may qualify for an exemption from the requirement to connect may not exceed (20) years from the time of installation.

**EXEMPTION CLAIM FORM**

To claim an exemption from the requirement to discontinue the use of your current septic system and the requirement to connect to the district sanitary sewer, please fill out, sign and return this Exemption Claim Form to the Wells County Regional Sewer District at the address set forth below **within 60 days** from the date of this notice.

To: Wells County Regional Sewer Department  
223 Washington Street  
Room 208  
Bluffton, IN 46714

Name: (All owners of property should be listed)

\_\_\_\_\_

Address of site for which exemption is claimed: \_\_\_\_\_

Contact phone# \_\_\_\_\_

Approximate date the current system was installed new \_\_\_\_\_

Date \_\_\_\_\_  
\_\_\_\_\_ (Owner)

Date \_\_\_\_\_  
\_\_\_\_\_ (Owner)

**To finalize your claim for exemption, you must provide the following written determination to the District within 120 days from the date you send your Exemption Claim Request to the District.** The property owner, at the property owner's own expense, must obtain a written determination from the local health department or the department's designee that the septic tank soil absorption system is not failing. The owner, at the owner's expense, may also obtain such a written determination from a qualified inspector. The system must meet the eligibility requirements.