

HEALTH REGULATION #12

WASTEWATER DISPOSAL



Adopted by the Tooele County Board of Health

August 12, 2025

Under Authority of Section 26A-1-121
Utah Code Annotated, 1953, as amended

Certified Official Copy
Tooele County Health Department

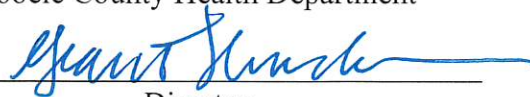
By: 
Director

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TOOELE COUNTY HEALTH DEPARTMENT REGULATIONS FOR WASTEWATER DISPOSAL

1.0 PURPOSE

The requirements found in Utah Administrative Code R317-4 Onsite Wastewater Systems are adopted and incorporated by reference by the Tooele County Health Department (Department). This regulation is necessary for promoting public health and environmental health, and preventing outbreaks and the spread of communicable or infectious diseases. Its purpose is to address the following issues:

- 1.1 Uniform regulations are necessary for the installation and construction of individual wastewater disposal systems within Tooele County including septic and absorption systems. Inspections should be required and an inspection fee established.
- 1.2 Subdivisions have been approved where on-site wastewater disposal feasibility is not proven on all lots, which then are purchased by unwary consumers, only to find these lots are unbuildable.
- 1.3 Assurance of the responsible agencies involved in the culinary water and wastewater disposal feasibility study is uncertain. The county and municipal subdivision ordinances vary widely, and in some cases are not concise as to the charge given the responsible agencies.

2.0 REQUIREMENTS TO CONNECT TO PUBLIC SEWER

All wastewater shall be connected to public sewer when such sewer is within proximity and a connection is determined to be feasible by its municipality or service district.

- 2.1 Public sewer is considered within proximity if a connection is located within 300 feet of the property line within the same municipality or service district and may be considered within proximity when it is further than 300 feet.
- 2.2 For subdivisions, public sewer is considered within proximity if it is located within 150 feet multiplied by the number of proposed lots in all phases of development within the same municipality or service district.
- 2.3 Public sewer providers shall determine whether public sewer has available capacity for additional connections or deemed feasible. Their determination must be submitted to the Health Department in writing.

3.0 ONSITE WASTEWATER FEASIBILITY FOR SUBDIVISIONS

- 3.1 Plats of subdivisions shall be submitted to the Tooele County Health Department for review. The plat shall be drawn and show those items per R317-4.
- 3.2 For new subdivisions in the Tooele Valley proposing to use conventional septic systems for wastewater disposal, all lots within the proposed subdivision must be a minimum of 5 acres in size. (The Tooele Valley includes all land between the Oquirrh Mountains and the Stansbury Mountains east to west, and between the Great Salt Lake and South Mountain north to south.)
- 3.3 Upon review of the subdivision plat and the information required in Section 3.1, the Department will issue a letter of findings to the applicant.
- 3.4 Exceptions to the requirement in section 3.2 may be considered by the Department for individual property owners where:
 - a. the subdivision creates no more than one additional lot,
 - b. is not part of a multi-phase subdivision,
 - c. connects to an approved public water system or connects to an approved existing individual shared well,
 - d. and the lots are at least one acre in size.

4.0 ON-SITE INSPECTION

- 4.1 An on-site inspection of all septic systems shall be requested by the installer and performed by a designated agent of the Health Department after excavation of the trenches, prior to backfill.

5.0 WASTEWATER PERMIT FEE:

- 5.1 Onsite Wastewater Feasibility for Subdivision Review Fee: All persons requiring an onsite wastewater feasibility for subdivision review shall pay to the Health Department a fee as established by the Tooele County Board of Health. The Health Department will not begin the review process or issue a letter of findings until the fee is paid.
- 5.2 Inspection Fees: All persons applying for an individual septic system permit shall pay to the Health Department a fee as established by the Tooele County Board of Health. The permit is valid for twenty-four (24) months.

- 5.3 Investigation Fee: Whenever any work for which a permit is required by this regulation has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this regulation.
- 5.4 Recertification Inspection Fee: Any person requesting a recertification inspection of an individual wastewater system shall do so at least seventy-two (72) hours in advance, and shall pay a fee as established by the Tooele County Board of Health. If a water test is also required at this time, an additional fee will be incurred.

6.0 ALTERNATIVE ONSITE WASTEWATER SYSTEMS

The purpose of this section is to ensure that alternative onsite wastewater systems are designed, installed, operated, and maintained in a manner that will protect the health and safety of the public, and ensure the integrity of the water quality throughout Tooele County.

6.1 GENERAL REQUIREMENTS

- A. Alternative onsite wastewater systems allowed by this rule include: Mound Systems and Packed Bed Media Systems (specifically Single Pass Sand Filters, Recirculating Sand Filters, Recirculating Gravel Filters, and Recirculating Textile Filters).
- B. Except as outlined in this rule, all requirements of the state "Onsite Wastewater Systems" rule, R317-4, and all applicable local rules must be met before an alternative onsite wastewater system may be installed, operated, or maintained.
- C. Any individual installing, operating, or maintaining alternative onsite wastewater systems in Tooele County must be state certified Level 3 as provided in R317-11 Utah Administrative Code, as amended.
- D. No alternative onsite wastewater system may be constructed or installed until a construction permit is obtained from the Tooele County Health Department, and no alternative onsite wastewater system may be operated or used until an operating permit is obtained from the Tooele County Health Department.
- E. A construction permit will only be issued when the following requirements are met:

1. All submission, design and siting requirements outlined in R317-4, this rule, and any additional requirements imposed during the review process, have been met.

2. Evidence that the proposed existence of an alternative onsite wastewater system is recorded against the deed of the property in a form approved by the Tooele County Health Department.

3. Operation and maintenance instructions for the specific system have been submitted and preliminarily reviewed by the Tooele County Health Department for feasibility.

4. All applicable fees have been paid.

F. An annual operating permit is required for each alternative onsite wastewater system as outlined for the specific type of system in Section 9.2 of this rule.

6.2 SYSTEM SPECIFIC REQUIREMENTS

A. Alternative Wastewater Systems

1. The initial operating permit shall be valid for one year, must be issued prior to operation and may only be issued when the following requirements are met:

- a. The alternative wastewater system has been installed and tested according to the approved design.
- b. The operation and maintenance instructions have been finalized and approved by the Tooele County Health Department.
- c. All other requirements of the construction permit have been met.
- d. All applicable fees have been paid.

2. The initial operating permit must be renewed into an ongoing operating permit for the second year of operation. For the second year of operation of the system and each year after, the operating permit must be renewed annually and may only be renewed when the following requirements are met:

- a. All results of effluent quality testing required by R317-4, for the previous year, have been submitted to the Tooele County Health Department.
- b. The system is operated and maintained as approved.
- c. The system is not deemed “non-compliant” as per this rule.

- d. The required frequency, as stated in R317-4, of inspections have been completed, and all identified issues have been addressed.
- e. All operation and maintenance records have been submitted to the Tooele County Health Department.
- f. All applicable fees have been paid.

6.3 NON-COMPLIANT SYSTEMS

- A. A system shall be deemed non-compliant as identified in R317-4 or if any of the following conditions exist:
 - 1. The system is “malfunctioning” as defined by R317-4.
 - 2. Any equipment is malfunctioning.
 - 3. The system does not continually meet the approved design and siting requirements.
 - 4. The system is not operated or maintained as approved.
 - 5. All applicable fees have not been paid.
- B. A system that has been deemed to be non-compliant for more than 30 days or a system that has been deemed to be non-compliant and poses an imminent public health risk shall be subject to legal action as described in Title 26A, Utah State Code, as amended.

7.0 RIGHT TO APPEAL

- 7.1 Within ten (10) calendar days after the Department has given a notice of violation, any person aggrieved by the notice may request in writing a hearing before the Director. The hearing shall take place within ten (10) calendar days after the request. A written notice of the Director's final determination shall be given within ten (10) calendar days after adjournment of the hearing. The Director may sustain, modify, or reverse the action or order.

8.0 PENALTY

- 8.1 Any person, association or corporation, and the officers of the association or corporation, who is found guilty of violating any of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of a class B misdemeanor pursuant to Section 26A-1-123, Utah Code Annotated, 1953, as amended. If a person is found guilty of a subsequent similar violation within two years, he is guilty of a class A misdemeanor pursuant to Section 26A-1-123, Utah Code Annotated, 1953, as amended.

- 8.2 Each day such violation is committed or permitted to continue shall constitute a separate violation.
- 8.3 The County Attorney may initiate legal action, civil or criminal, requested by the Department to abate any condition that exists in violation of these rules and regulations.
- 8.4 In addition to other penalties imposed by a court of competent jurisdiction, any person found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by the Department in removing or abating any nuisance, source of filth, cause of sickness or infection, health hazard, or sanitation violation.

9.0 SEVERABILITY

- 9.1 If any provision, clause, sentence, or paragraph of these rules and regulations or the application thereof to any person or circumstances shall be held to be invalid, such invalidity shall not affect the other provisions or applications of these rules and regulations. The valid part of any clause, sentence, or paragraph of these regulations shall be given independence from the invalid provisions or application and to this end the provisions of these regulations are hereby declared to be severable.
- 9.2 In the event that this Regulation conflicts with any state laws or rules and regulations from any State Agency, the conflicting portion of this Regulation shall be superseded and comply with all state laws and regulations, while all non-conflicting provisions shall remain in force.

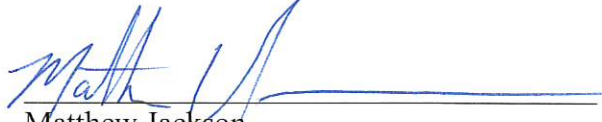
IN WITNESS WHEREOF, the Tooele County Board of Health has passed, approved and adopted this regulation this 7 day of November, 2025.

ATTEST:



Grant Sunada,
Health Officer

TOOELE COUNTY BOARD OF HEALTH



Matthew Jackson,
Chairperson