

ORDINANCE NO. 2003-37

FILED
03 JUL 11 AM 11 54
KAREN COBB, JUDICIAL CLERK
CO. & PROBATE CLERK
WASHINGTON CO. ARK.

**BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON,
STATE OF ARKANSAS, AN ORDINANCE
TO BE ENTITLED:**

**AN ORDINANCE REQUIRING THE SELLER OF ANY
RESIDENTIAL OR BUSINESS STRUCTURE OR LAND
UPON WHICH A RESIDENTIAL OR BUSINESS
STRUCTURE IS TO BE CONSTRUCTED OR PLACED TO
BE REQUIRED TO PROCURE A CERTIFICATE FROM THE
WASHINGTON COUNTY HEALTH DEPARTMENT THAT
THE SEPTIC SYSTEM IS APPROVED OR THE LAND HAS
BEEN TESTED AND APPROVED FOR INSTALLATION OF
A SEPTIC SYSTEM.**

WHEREAS, with the rapid growth in Washington County, Arkansas,
it is increasingly difficult to install safe septic systems that not only protect the owner of a
specific piece of property, but also those surrounding property owners, and the ground
water throughout the County and the phosphorous levels in rivers, streams, and other
bodies of water; and,

WHEREAS, levels of phosphorous have focused on area farmers
without adequately addressing other sources that contribute to this problem; and,

WHEREAS, the cities in Washington County have been required to
improve their waste water treatment due to the effect of effluent discharge and its effect
on water quality; and,

WHEREAS, currently existing mechanisms are inadequate to ensure
the health and safety of the citizens of Washington County with respect to septic systems.

**NOW, THEREFORE, BE IT ORDAINED BY THE QUORUM COURT
OF THE COUNTY OF WASHINGTON, STATE OF ARKANSAS:**

ARTICLE 1. No residential or business structure that would require
a septic system or tract of land upon which such residential or business structure is to be
constructed or placed with or without an existing system shall be sold until the seller of the
residential or business structure or tract procures at the seller's expense a certificate or
permit from the Washington County Health Department.

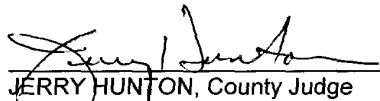
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ARTICLE 2. Said certificate or permit shall comply with regulations of the Washington County Health Department so as to ensure that the soil is suitable for a septic system and does not in conjunction with surrounding systems contribute to a danger to public health or the ground water, including but not limited to phosphorus levels.

ARTICLE 3. The cost of said inspection and approval may be collected at closing of any such sale.

ARTICLE 4. This ordinance shall apply to the unincorporated portions of Washington County, Arkansas.

ARTICLE 5. A violation of this ordinance shall be punishable by a fine of up to \$500.00 and, if of a continuing nature, \$250.00 per day for each day such violation exists.


JERRY HUNTON, County Judge

7-11-03
DATE


KAREN COMBS PRITCHARD, County Clerk

Sponsor: Earvel Fraley
Date of Passage: July 10, 2003
Votes For: 10 Votes Against: 3
Abstentions: 0 Absent: 0

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