

A REGULATION TO CONTROL THE DISPOSAL OF HUMAN EXCRETA, SEWAGE AND WATER-CARRIED HOUSEHOLD WASTES IN MADISON COUNTY FOR THE PREVENTION OF DISEASES SPREAD THROUGH BOWEL AND KIDNEY DISCHARGES: DEFINING SEWAGE AND OTHER PERTINENT TERMS USED IN THIS REGULATION: ESTABLISHING THE AUTHORITY OF THE JACKSON-MADISON COUNTY HEALTH DEPARTMENT WITH RESPECT TO ALL MATTERS COVERED BY THIS REGULATION REQUIRING PERMITS FOR THE INSTALLATION OF SEPTIC TANKS OR PRIVES: PROVIDING PENALTIES FOR VIOLATION OF THIS REGULATION, AND FIXING A TIME WHEN THE SAME SHALL TAKE EFFECT.

WHEREAS: Typhoid fever, infectious hepatitis, dysentery and hookworm disease, and the infectious diarrheas of infancy are hereby declared to be contagious diseases, and

WHEREAS: for the prevention of these and other diseases spread through the bowel discharges it is necessary to prevent access of the aforesaid discharges to the food and drink of human beings, and

WHEREAS: sanitary methods for the disposal of bowel discharges are the best means of preventing access of this infectious material to food and drink, the following regulations governing the disposal of human excreta are hereby adopted by the MADISON County Board of Health:

SECTION 1. The following definition shall apply in the interpretation of this regulation:

Accessible Sewer - A public sanitary sewer located in a street or alley on the property in question or otherwise within 300 feet of any boundary of said property measured along the shortest available right-of-way.

Health Officer - The person duly appointed to such position having jurisdiction, or any person or persons authorized to act as his agent.

Human Excreta - The bowel and kidney discharges of human beings.

Sewage - All water-carried human and household wastes from residences, buildings or industrial establishments.

Approved Septic Tank - A watertight covered receptacle of monolithic concrete, either precast or cast in place, constructed according to plans approved by the Health Officer. Such tanks shall have a capacity of not less than 750 gallons and in the case of homes with more than two bedrooms the capacity of the tank shall be in accordance with the recommendations of the Tennessee Department of Public Health as provided for in their 1958 bulletin entitled "Recommended Construction of Septic Tanks and Disposal Fields for Residential Uses." A minimum liquid depth of four feet should be provided with a minimum depth of air space above the liquid of one foot. The septic tank dimensions should be such that the length from inlet to outlet is at least twice but not more than three times the width. The liquid depth should not exceed five feet. The discharge from the septic tank shall be disposed of in such a manner that it may not create a nuisance on the surface of the ground or pollute the underground water supply.

Sanitary Pit Privy - A privy having a fly-tight floor and seat over an excavation in earth, located and constructed in such a manner that flies and animals will be excluded, surface water may not enter the pit, and the danger of pollution of the surface of the ground or the underground water supply will be prevented.

Other Approved Method of Sewage Disposal - Any privy, chemical toilet, or other toilet device (other than a sanitary sewer, septic tank, or sanitary pit privy as described above) the type, location and construction of which have been approved by the Health Officer.

Watercourse - Any natural or artificial drain which conveys water either continuously or intermittently.

SECTION. 2. Every residence, building or place where human beings reside, assemble, or are employed within MADISON County shall be required to have a sanitary method for disposal of sewage and human excreta.

SECTION. 3. It shall be the duty of the owner of any property upon which facilities for sanitary sewage or human excreta disposal are required by SECTION 2, above, or the agent of the owner to provide such facilities.

SECTION. 4. It shall be the duty of the occupant, tenant, lessee or other person in charge to maintain the facilities for human excreta disposal in a clean and sanitary condition at all times, and no refuse or other material which may unduly fill up, clog or otherwise interfere with the operation of such facilities shall be deposited therein.

SECTION. 5. Wherever an accessible sewer exists and water under pressure is available, flush closets shall be provided and the wastes from such closets shall be discharged through a connection to said sewer made in compliance with the requirements of the official responsible for the public sewage system. On any lot or premise abutting on a street or alley in which a public sanitary sewer is located, or the boundary of which is within 300 feet of a public sewer, and provided the elevation is such that gravity flow is possible from the lot or premise in question to said sewer, no other method of excreta disposal shall be employed other than by flush closet connected to said sewer.

SECTION. 6. Wherever flush closets are installed and their use is permitted by the Health Officer, and an accessible sewer does not exist, the wastes from such closets shall be discharged into an approved septic tank.

- A. No septic tank or other water carried sewage disposal system except a connection to a public sewer shall be installed without the approval of the Health Officer or his duly appointed representative. The design, layout and construction of such systems shall be in accordance with specifications approved by the Health Officer and the installation shall be under the supervision of the Health Department.

SECTION. 7. Wherever a sanitary method of human excreta disposal is required under SECTION 2 above, and flush closets are not provided, a sanitary pit privy or other approved method of disposal shall be provided.

SECTION. 8A. After the effective date of this regulation the installation of a co-called "frost-proof toilet", or any similar device for sewage disposal having connection to a public water supply by means of an underground inlet valve or other type of connection which in case of malfunction could allow said water supply to be contaminated with sewage, is hereby expressly prohibited.

SECTION. 8B. Any "frost-proof toilet" or similar device for sewage disposal as described in the preceding paragraph which is already installed when this regulation is adopted and which subsequent to the adoption of this regulation is found to be stopped-up or other wise in need of repairs and in the opinion of the Health Officer is endangering a public water supply, shall be removed by the owner upon due notification by the Health officer, and shall not be replaced except by a flush closet of a type approved by the Health Officer.

SECTION. 9. Every person, firm, or corporation who operated equipment for the purpose of removing digested sludge from septic tanks or private or public property must register with the Health Officer and furnish such records of work done within MADISON County as may be deemed necessary by the Health Officer.

SECTION. 10. No sewage or human excreta shall be thrown out, deposited, buried, or otherwise disposed of, except by a sanitary method of disposal as specified in this ordinance.

SECTION. 11. No sewage or excreta shall be discharged or deposited into any lake or watercourse in such quantity or manner as may materially affect the quality of the water except under conditions specified by the Health Officer and specifically authorized by the Tennessee Department of Public Health.

SECTION. 12. No sewage, effluent from a septic tank, sewage treatment plant, or discharges from any plumbing facility shall empty into any well, either abandoned or constructed for this purpose, cistern, sinkhole, crevice, ditch, or other opening either natural or artificial in any formation which may permit the pollution of ground water.

SECTION. 13A. PERMIT REQUIRED FOR CONSTRUCTION OF SEPTIC TANK OR PRIVIES:
EXAMINATION: No septic tank or vault, privy, cistern, well, or cesspool shall hereafter be installed or rebuilt for the purpose of excreta disposal in MADISON County except in accordance with the regulations and pursuant to issuance of a permit from the Health Department, nor shall any erection or cover be made or put upon or over the same until the same has been inspected by the Health Officer or his representative and found to correspond to such permit and regulation.

SECTION. 13B. PERMIT TO BE SECURED FROM HEALTH OFFICER OR HIS REPRESENTATIVE:
Securing a permit for the installation of a sewage disposal system as required in SECTION 13A above, is the responsibility of the contractor, plumber, or any person acting in the capacity of a plumber, or any person directly responsible for the installation of said sewage disposal system. Application for such permit shall be made to the Health Officer or his representative before installation of said sewage disposal system or reconstruction of an existing facility is started.

SECTION. 14. Whenever carnivals, circuses, or other transient groups of persons come within the area of MADISON County such groups of transients shall provide a sanitary method for disposal of sewage and human excreta. Failure of a carnival, circus, or other transient group to provide such sanitary method of disposal or to make all reasonable changes and corrections proposed by the Health Officer to accomplish sanitary disposal of sewage for said group shall constitute a violation of this regulation. In these cases the violator shall not be entitled to the notice of 20 days provided for in SECTION. 15. hereof.

SECTION. 15. It shall be the duty of the Health Officer to make an inspection of the methods of disposal of sewage and human excreta as often as is considered necessary to insure full compliance with the provisions of this regulation. Written notification of any violation of this ordinance shall be given by the Health Officer to the person or persons responsible under this regulation for the correction of the condition, and correction shall be made within 20 days after notification. If the Health Officer shall advise any person that the method by which human excreta and sewage is being disposed of constitutes an immediate and serious menance to health such person shall at once take steps to remove the menance, and failure to remove such menance immediatly shall be punishable as provided in SECTION. 16. hereof; but such person shall be allowed the number of days herein provided within which to make permanent correction.

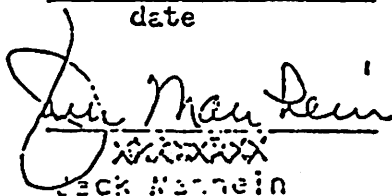
SECTION. 16. Any person who violates a County Board of Health Regulation is guilty of a misdemeanor, punishable by a fine of not to exceed fifty dollars (\$50) or imprisonment for not greater than thirty (30) days or both.

SECTION. 17. All ordinances or regulations or parts of ordinances or regulations in conflict with this regulation are hereby repealed, and this regulation shall be in full force and effect from and after its passage.

SECTION. 18. Should any part or parts of this regulation be declared invalid for any reason, the remainder of said regulation shall not be affected thereby.

SECTION. 19. This regulation is promulgated and adopted pursuant to Section 68-2-601 et seq. of the Tennessee Code Annotated, and shall be in full force and effect from the date of adoption by the Madison County Board of Health, the public welfare requiring it.

Approved as to form 5-2-62
date


~~Jack McKein~~
Jack McKein

Madison County Attorney

Adopted 5-2-62
Date

Madison County Board of Health

H. Leroy Pope
Chairman

Levin R. Brown Jr.

Ernest Burns

Bob Tate

John Pearce

D. Miller