



CITY OF POQUOSON

PLANNING DEPARTMENT

500 CITY HALL AVENUE, POQUOSON, VIRGINIA 23662-1996
(757) 868-3040 TELEPHONE (757) 868-3105 FAX

March 28, 2016

To: The Honorable City Council

Through: City Manager

From: Karen Holloway, Environmental Compliance Officer

Subject: **Code Amendment – Article XI.IV, Section 11.4-6(L)(2) As It Pertains To Septic System Inspection Procedures**

Presented for your consideration and a public hearing is a request to amend Article XI.IV, Section 11.4-6(L)(2) of the Zoning Ordinance, as required by the Virginia Department of Environmental Quality (DEQ) to revise the certification requirements of those who operate, maintain, or design on-site sewage systems.

Upon consideration during their March 21, 2016 the Planning Commission recommended approval by a vote of 5 - 0.

This code amendment advertised for a public hearing in the Daily Press on March 4, 2016 and March 11, 2016.

KWH

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
BY CHANGING ARTICLE XI.IV ENVIRONMENTAL
MANAGEMENT AREA (EMA) OVERLAY DISTRICT**

BE IT ORDAINED by the City Council of the City of Poquoson, Virginia:

Section 1: That the Zoning Ordinance of the City of Poquoson, Virginia be amended by modifying Article III. Nonconforming Uses and Structures to read as follows:

Section 4-6.1(2) – Special Performance Standards

All on-site sewage treatment systems not requiring a Virginia Pollution Discharge Elimination System (VPDES) permit shall be pumped out at least once every five years. However:

(1)

If deemed appropriate by the local health department and subject to conditions the local health department may set, the owners of such systems, as an alternative to the mandatory pump out, have the option of installing a plastic filter in the outflow pipe from the septic tank to filter solid material from the effluent while sustaining adequate flow to the drainfield to permit normal use of the septic system.

(2)

In lieu of requiring proof of septic tank pump-out every five years, owners of on-site sewage treatment systems may submit documentation every five years, certified by a ~~sewage handler permitted by the Virginia Department of Health~~, an operator or on-site soil evaluator licensed or certified under Chapter 23 (§ 54.1-2300 et seq.) of Title 54.1 as being qualified to operate, maintain, or design on-site sewage systems, that the septic system has been inspected, is functioning properly, and the tank does not need to have the effluent pumped out of it.

Section 2: That this ordinance shall be in effect on and after 30 days from its adoption.

ADOPTED: _____

TESTE: _____

City Clerk



CITY OF POQUOSON
Department of Community Development

MEMORANDUM

Date: March 21, 2016
To: The Honorable Chairwoman and Members of the Planning Commission
From: Community Development Department
Subject: Code Amendment – Article XI.IV, Section 11.4-6(1)(2) As It Pertains To Septic System Inspection Procedures

Introduction

The Community Development Department has received notice from the Virginia Department of Environmental Quality (DEQ) of an amendment that has been made to the septic system pump-out procedures, which should be updated in local ordinances. The amendment is as follows:

Article XI.IV, Environmental Management Area (EMA) Overlay District, Section 11.4-6. Special Performance Standards, Section (1)(2)

This amendment allows for inspection of on-site septic systems by an operator or on-site soil evaluator licensed or certified as being qualified to operate, maintain, or design on-site sewage systems, rather than restricting such inspections to certification by the Virginia Department of Health.

Public Notice

These Code Amendments were advertised for a public hearing in the Daily Press on March 4, 2016 and March 11, 2016.