

JASPER COUNTY, IOWA
BEFORE THE BOARD OF SUPERVISORS

ORDINANCE NO. 61

**AN ORDINANCE REPEALING ORDINANCES # 52, 53, 54, 55, 55A, and 56
IN THEIR ENTIRETY, AND REPLACING THEM WITH THE FOLLOWING
COMPREHENSIVE REGULATIONS FOR THE USE, DESIGN,
INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ALL ON-SITE
WASTEWATER TREATMENT AND DISPOSAL SYSTEMS IN ALL
INCORPORATED AND UNINCORPORATED AREAS OF JASPER COUNTY,
AND PROVIDING FOR THE ADMINISTRATION AND ENFORCEMENT
THEREOF.**

WHEREAS, the Jasper County Board of Health has acted in accordance with the Code of Iowa in promulgating the regulations set forth herein; and,

WHEREAS, the Board of Supervisors has met all statutory requirements relating to the subject matters of this Ordinance; and,

WHEREAS, the Board of Supervisors deems it necessary for purposes of promoting the health, safety, and general welfare of Jasper County, Iowa and its citizens to enact such an ordinance;

**NOW, THEREFORE, BE IT ENACTED BY THE
BOARD OF SUPERVISORS OF JASPER COUNTY, IOWA:**

1. **Title.** These regulations shall be known as the Jasper County On-Site Wastewater Treatment and Disposal System Ordinance and shall be cited as such and will be referred to herein as “this ordinance.”
2. **Effective Date.** This ordinance shall take effect on May 1, 2013.
3. **Purpose.** The purpose of this ordinance is to provide minimum standards to safeguard environmental, health, property and public welfare by regulating and controlling the design, installation, quality of materials, location, operation, and maintenance or use of OWTS.

4. **Scope.** This ordinance shall regulate the design, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of OWTS.
5. **APPLICABILITY.** The provisions of this ordinance shall apply to all OWTS located in the incorporated and unincorporated areas of Jasper County.
6. **General.**
 - 6.1. **Existing OWTS.** Except as otherwise provided for in this chapter, a provision in this ordinance shall not require the removal, alteration or abandonment of, nor prevent the continued utilization and maintenance of, existing compliant OWTS in existence at the time of the adoption of this ordinance.
 - 6.2. **Unsafe OWTS.** An OWTS that constitutes a health or environmental hazard, or is otherwise dangerous to human life, or creates a nuisance as defined by the Code of Iowa shall be declared as an unsafe OWTS.
 - 6.2.1. **Authority to condemn OWTS.** Wherever the Director determines that any OWTS is unsafe, the Director shall order in writing that such OWTS either be restored to a safe condition. A time limit for compliance with such order shall be specified in the written notice. A person shall not use or maintain a defective OWTS after receiving such notice, without written approval of the Director included in the notice. The Director shall cause a report to be filed on an unsafe OWTS. The report shall state the nature of the unsafe condition
 - 6.2.2. **Notice.** If an unsafe condition is found, the Director shall serve on the owner, a written notice that describes the condition deemed unsafe and specifies the actions required to abate the unsafe condition within a stipulated time. Such notice shall be deemed properly served if a copy thereof is: (a) delivered to the owner personally; or (b) sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner.
 - 6.2.3. All activities required to abate an unsafe OWTS shall be subject to permitting, inspection, and approval by the Director. Acceptable measures to abate an unsafe OWTS include:
 - 6.2.3.1. Connection to an approved common/public wastewater system.
 - 6.2.3.2. Approved repair of the unsafe OWTS.
 - 6.2.3.3. Approved removal and replacement of the unsafe OWTS.
 - 6.2.3.4. Extension. The Administrative Authority may grant an extension to the owner of an unsafe OWTS if said owner can show just cause

why the extension is necessary and agrees in writing to all the conditions the Administrative Authority places on the extension.

6.2.3.5. Failure to comply. If, after receiving notice of non-compliance from the Administrative Authority, the owner of the non-compliant OWTS fails to comply with said notice the Administrative Authority shall issue a County Infraction Citation which may include fines, abatement, and injunction prohibiting use/occupancy of any and all structures connected to the non-compliant OWTS.

6.3. **Use of Schedule 40 PVC Required.** All new OWTS shall be installed using only solid schedule 40 PVC. Any cast iron pipe that must be replaced during repair or alteration to an existing OWTS shall be replaced with solid schedule 40 PVC.

6.4. **Location Specific Regulations.** The JCBOH may place additional restrictions on private onsite wastewater treatment for areas in which systems are allowed to discharge into surface water or when alternative wastewater solutions are available. These areas may include, but are not limited to; high-density subdivisions, watershed areas of special concern, or incorporated areas. The Administrative Authority may make a determination to individually assess all dwellings as to their compliance with these Board of Health regulations. Stricter standards above the minimums in the state regulations may be set by the Jasper County Board of Health.

6.4.1. No permanent or temporary structures, including recreational vehicles and campers, shall be placed on any vacant lot or parcel in the following areas of the Rock Creek watershed (Homesites, Mary Akers and Rock Creek West subdivisions) unless they have an operable connection to an approved potable water system, public sewer system and the electric utility serving that area. Exception: A recreational vehicle or camper may be placed on a property that does not have a permanent residential dwelling and used intermittently for recreational purposes or as a temporary dwelling if a building permit for a permanent dwelling on the property is in force as long as it is continuously connected to an approved potable water system, public sewer system and the electric utility serving that area.

6.5. **Change of wastewater origin.** Any action changing the origin (dwelling or building) of the wastewater shall require a permit. *(Ex. Any time a new dwelling is connecting into a permitted system with the removal of the original dwelling a permit will be required.)*

6.6. **Additional wastewater discharge.** Adding any additional discharge into an existing OWTS shall require a permit. *(Ex. Discharge from an additional building, or additional discharge resulting from remodeling/addition of existing building(s).)*

- 6.7. **Maintenance.** OWTS, both existing and new, and parts thereof shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. The owner shall be responsible for the maintenance of the OWTS. To determine compliance with this provision, the Jasper County Environmental Health Department Director, referred to herein as “the Director” shall have the authority to require that OWTS be reinspected.
- 6.8. **Additions, alterations and repairs.** Additions, alterations, renovations and repairs to OWTS shall conform to that required for new OWTS without requiring that the entire existing OWTS comply with all of the requirements of this ordinance. Additions, alterations and repairs shall not cause existing OWTS to become non-compliant.
- 6.9. **Differences.** Where, in any specific case, different sections of this ordinance specify different materials, methods of installation or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.
- 6.10. **Other laws.** The provisions of this ordinance shall not be deemed to nullify any provisions of local, state or federal law.
- 6.11. **Validity.** In the event any part or provision of this ordinance is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions thereof, which are determined to be legal; and it shall be presumed that this ordinance would have been adopted without such illegal or invalid parts or provisions.
- 6.12. **Segregation of invalid provisions.** Any invalid part of this ordinance shall be segregated from the remainder of this ordinance by the court holding such part invalid, and the remainder shall remain effective.
- 6.13. **Adoption of Code of Iowa and Iowa Administrative Code.** Jasper County hereby adopts by reference Code of Iowa Chapter 137 and 455B.172, and Iowa Administrative Code 567-69 as may be amended from time to time, and the same are incorporated herein by this reference the same as though fully set forth herein.

7. DEFINITIONS

7.1. General

- 7.1.1. **Scope.** Unless otherwise expressly stated, the following words and terms shall, for the purposes of this ordinance, have the meanings indicated in this chapter.

- 7.1.2. **Interchangeability.** Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.
- 7.1.3. **Terms defined in other ordinances.** Where terms are not defined in this ordinance and are defined in Code of Iowa and/or The Iowa Administrative Code such terms shall have meanings ascribed to them as in those ordinances.
- 7.1.4. **Terms not defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

7.2. Definition of Terms

- 7.2.1. **Alternative Wastewater System** – any type of wastewater system that does not depend on traditional or industry standard products consisting of a primary septic treatment of a septic tank with secondary treatment of the disbursement of the partially treated effluent into the soil (commonly called a subsurface lateral field).
- 7.2.2. **Licensed OWTS Installer** – person licensed by the Jasper County Board of Health to install, design, and repair on-site wastewater systems in Jasper County.
- 7.2.3. **JCBOH**- Jasper County Board of Health
- 7.2.4. **NPDES permit** – National Pollutant Discharge Elimination System General Permit #4 with the Iowa Department of Natural Resources (IDNR).
- 7.2.5. **Nuisance**- As defined in the Code of Iowa.
- 7.2.6. **Onsite wastewater treatment system** - OWTS – Systems utilized by private homes and small businesses to treat and disperse or dispose of wastewater where a municipal treatment connection is not available. The system is often referred to as a septic system.
- 7.2.7. **Owner** – person(s) identified as having equitable title for the property in question.
- 7.2.8. **Site Analysis** – A property and soils review and written report for the ability of the property to meet minimum requirements for regulatory compliance.

8. ORGANIZATION AND ENFORCEMENT

- 8.1. **Creation of enforcement agency.** The Jasper County Environmental Health Department, herein after referred to as “the department” and the official in charge thereof shall be known as, and herein after referred to as, “the Director”. The function of the department shall be to assist the Director in the administration and enforcement of the provisions of this Ordinance.
- 8.2. **Appointment.** The Director shall be appointed by the chief appointing authority of the jurisdiction.
- 8.3. **Employees.** In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the Director shall have the

authority to hire employees. Such employees shall have powers as delegated by the Director.

- 8.4. **No Warranty, Expressed or Implied.** No warranty, expressed or implied is granted to any owner of any OWTS by Jasper County, its boards or employees, by enforcement of this ordinance.

9. DUTIES AND POWERS OF THE DIRECTOR

- 9.1. **General.** The Director is hereby authorized and directed to enforce the provisions of this ordinance. The Director shall have the authority to render interpretations of this ordinance, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this ordinance. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this ordinance.
- 9.2. **Rule-making authority.** The Director shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and regulations and to designate requirements. Such rules shall not have the effect of waiving requirements specifically provided for in this ordinance, or of violating accepted engineering methods involving public safety.
- 9.3. **Applications and permits.** The Director is authorized to receive applications, review installation documents and issue permits for the installation of OWTS, inspect the premises for which such permits have been issued, and enforce compliance with the provisions of this ordinance.
- 9.4. **Notices and orders.** The Director is authorized to issue all necessary notices or orders as are required to effect compliance with this ordinance.
- 9.5. **Inspections.** The Director shall make all of the inspections necessary to determine compliance with the provisions of this ordinance.
- 9.6. **Right of entry.** The Director is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this ordinance.
- 9.7. **Department records.** The Director shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, notices and orders issued, and as required by this ordinance, such records shall be retained in the official records for the period required for retention of public records.
- 9.8. **Approvals and modifications.** A record of approvals and modifications granted shall be maintained by the Director and shall be available for public inspection during business hours in accordance with applicable laws.
- 9.9. **Alternative methods or materials.** The application for modification, alternative methods or materials and the final decision of the Director shall be in writing and shall be officially recorded in the permanent records of the Director.
- 9.10. **Liability.** The Director or employee charged with the enforcement of this ordinance, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this ordinance or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved

from all personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this ordinance shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings, and the Director or any subordinate shall not be liable for costs in any action, suit or proceeding that is instituted in pursuance of the provisions of this ordinance.

10. PERMITS

- 10.1. **Permits required.** Anyone who desires to install, alter, or repair, an OWTS regulated by this ordinance, or to cause such work to be done, shall first make application to the Director and obtain the required permit for the work. It shall be a violation of this ordinance to commence any work on any OWTS without a permit.
- 10.2. **Application.** Application for a permit required by this ordinance shall be made to the Director in such form and detail as prescribed by the Director. Applications for permits shall be accompanied by such plans as prescribed by the Director.
 - 10.2.1. Submittal documents include but are not limited to the following:
 - 10.2.1.1. A site analysis may be prepared by a Professional Licensed Engineer, the department employees or other qualified party approved by the Jasper County Board of Health. The Director shall have the right to not provide site analysis duties at his discretion. A soil assessment report is required to be included with the site analysis. A percolation test shall not be used in place of a soil assessment unless pre-approved by the Director. The site analysis will show that the system will meet all setbacks required by law.
 - 10.2.1.2. A design layout and component specifications, prepared by a Professional Licensed Engineer or licensed installer, acceptable to the Director. A Jasper County licensed installer or professional engineer may use the Administrative Authority's site analysis report as part of the design completion. The department shall not prepare any design layout or component specifications for any application.
 - 10.2.1.3. Documentation of maintenance provisions and NPDES permits if required.
 - 10.2.1.4. A recorded perpetual easement shall be required if any portion of an OWTS will be sited on property owned by anyone other than the owner of the property connected to the OWTS. It is the property owner's responsibility to obtain such perpetual easement prior to application or when division of land makes one necessary. The Director shall be provided with a copy of the recorded easement prior to issuing a permit to construct or completing a time of transfer inspection.

- 10.2.1.5. Where special conditions exist, the Director is authorized to require additional documents deemed necessary to determine compliance with this ordinance.
 - 10.2.1.6. The Director is authorized to waive the submission of installation documents and other data not required if it is found that the nature of the work applied for is such that reviewing of installation documents is not necessary to determine compliance with this ordinance.
 - 10.2.1.7. Electronic media documents are permitted to be submitted where approved by the Director.
 - 10.2.1.8. Site plan. A site plan showing the location of new installation and existing structures on the site, distances from lot lines, the proposed finished grades. The Director is permitted to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.
- 10.3. **Action on application.** The Director shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the installation documents do not conform to the requirements of pertinent laws, the Director shall reject such application in writing, stating the reasons therefor. If the Director is satisfied that the proposed work conforms to the requirements of this ordinance and laws and ordinances applicable thereto, the Director shall issue a permit therefor as soon as practicable.
- 10.4. **Conditions of a permit.** A permit shall constitute permission to conduct work as set forth in this ordinance in accordance with the provisions of this ordinance. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this ordinance or other applicable regulations or laws of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this ordinance or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on installation documents and other data shall not prevent the Director from requiring the correction of errors in the installation documents and other data. The Director is also authorized to prevent use of an OWTS where in violation of this ordinance or of any other ordinances of this jurisdiction.
- 10.5. **Expiration.** Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 1 year after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 10 days after the time the work is commenced.
- 10.6. **Extensions.** The Director is authorized to grant, in writing, one or more extensions for the time period of a permit. The length of the extension shall be set by the Director. Such extensions shall be requested by the permit holder in writing and justifiable cause demonstrated.

10.7. **Posting the permit.** Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Director.

10.8. **Information on the permit.** The Director shall issue all permits required by this ordinance on an approved form furnished for that purpose. The permit shall contain a general description of the work to be performed and its location and any other information required by the Director. Issued permits shall bear the signature of the Director.

10.9. **Suspension or revocation.** The Director is authorized to suspend or revoke a permit issued under the provisions of this ordinance wherever the permit is issued in error, on the basis of incorrect, inaccurate or incomplete information; in violation of any ordinance, regulation or any of the provisions of this ordinance; or if any one of the following conditions exists:

10.9.1. The permit is used for a location other than that for which it was issued.

10.9.2. The permit is used for a condition or activity other than that listed in the permit.

10.9.3. Conditions and limitations set forth in the permit have been violated.

10.9.4. There have been any false statements or misrepresentations as to the material fact in the application for permit or plans submitted or a condition of the permit.

10.9.5. The permit is used by a different person or firm than the name for which it was issued.

10.9.6. The permittee failed, refused or neglected to comply with orders or notices duly served in accordance with the provisions of this ordinance within the time provided therein.

10.9.7. The permit was issued in error or in violation of an ordinance, regulation or this ordinance.

10.10. **Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the current fee schedule as established by the JCBOH.

10.11. **Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

10.12. **Related fees.** The payment of the fee for the installation, alteration, or repair done in connection with, or concurrently with, the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

10.13. **Refunds.** The Director is authorized to establish a fee refund policy.

11. **Licensing of OWTS Installer/Contractors.**

11.1. **License Required.** No person shall install, alter, or repair any OWTS in Jasper County, Iowa, unless they have first obtained an OWTS Installers License by the Department.

- 11.2. **Licensing Requirements.** Only individuals licensed by the State of Iowa as a Plumbing Contractor or Journeyman, or certified by the National Environmental Health Association (NEHA) as a Certified Installer of Onsite Wastewater Treatment Systems (CIOWTS) shall be granted an OWTS Installers License by the Department.
- 11.3. **Licensee required at Job site.** A licensed individual shall be on the job site during the entire period of installation, alteration, or repair of any OWTS and be available for consultation with Department staff.
- 11.4. **License Revocation.** An OWTS Installers License may be revoked by the JCBOH for violation of this ordinance or any other applicable laws or regulations.
 - 11.4.1. The licensee shall have the right to appeal the revocation of license by requesting an evidentiary hearing before the Board of Health prior to the revocation becoming effective. Such hearing request shall be made in writing and delivered to the Director no later than 10 days after the licensee is notified of the revocation.
- 11.5. **License Reinstated.** No licensee shall be issued a new license within a period of twelve (12) months after the effective date of any revocation except on recommendation by the JCBOH.
- 11.6. **License Term.** An OWTS Installer License shall be valid for a period of time established by the JCBOH
- 11.7. **License Fee.** A fee schedule for OWTS Installer Licenses shall be determined by the JCBOH.

12. INSPECTIONS

- 12.1. **General.** The Director is authorized to conduct inspections that are deemed necessary to determine compliance with the provisions of this ordinance.
- 12.2. **Inspection requests.** It shall be the duty of the person doing the work authorized by a permit to notify the Director that such work is ready for inspection. It shall be the duty of the person requesting any inspections required by this ordinance to provide access to and means for inspection of such work.
- 12.3. **Concealed work.** Work shall remain accessible and exposed for inspection purposes until approved. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Wherever any installation subject to inspection prior to use is covered or concealed without having first been inspected, the ordinance official shall have the authority to require that such work be exposed for inspection. Neither the Director nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.
- 12.4. **Underground.** Underground inspection shall be made after trenches or ditches are excavated and bedded, piping, devices and equipment installed, and before backfill is put in place. Where excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage the OWTS components protection shall be provided in the form of granular or selected material, or other means approved by the Director.

- 12.5. **Other inspections.** In addition to the inspections specified, the Director is authorized to make or require other inspections of any permitted work to ascertain compliance with the provisions of this ordinance and other laws, which are enforced by the department.
- 12.6. **Final inspection.** The final inspection shall be made after all work required by the permit is completed.
- 12.7. **Approval required.** Work shall not be performed beyond the point indicated in each successive inspection without first obtaining the approval of the Director. The Director shall either indicate the inspected portion of the installation is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder wherein the same fails to comply with this ordinance. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until reinspected and approved by the Director.
- 12.8. **Validity.** Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this ordinance or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this ordinance or of other ordinances of the jurisdiction shall not be valid.
- 12.9. **Right of entry.** Where it is necessary to make an inspection to enforce the provisions of this ordinance, or where the Director has reasonable cause to believe that there exists in a structure or upon any premises a condition that is contrary to or in violation of this ordinance, which makes the structure or premises unsafe, dangerous or hazardous, the Director is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this ordinance, provided that if such structure or premises be occupied, that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the Director is authorized to first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the Director shall have recourse to the remedies provided by law to secure entry.
- 12.10. **Assistance from other agencies.** The assistance and cooperation of police, building, fire and health department officials and all other officials shall be available as required in the performance of duties.

13. VIOLATIONS

- 13.1. **Violations** – The equitable owner of real property, and each person in possession thereof, who allows, creates, or maintains a violation of any provision of this ordinance on such property, shall be considered guilty of a county infraction. A county infraction is a civil offense punishable by a civil penalty of not more than seven hundred fifty (750) dollars for an initial violation or, if the infraction is a repeat offense, a civil penalty of not more than one thousand (1,000) dollars for each repeat offense, plus all costs, plus all other remedies allowable under the Code of Iowa.

- 13.2. **Enforcement of Violations** – All inspections and enforcement actions shall be conducted under the direction and supervision of the Director, who may seek the assistance of other public officers or employees to perform such duties as may be necessary to enforce the provisions of this ordinance.
- 13.3. **Enforcement Procedures** – Service of notice and all other enforcement procedures involving any alleged violation of this ordinance shall be as set forth in Code of Iowa and applicable Rules of Court, as may be amended from time to time.
- 13.4. **Abatement Costs** – All costs of abatement including, but not limited to, the costs for equipment, personnel, and any contract or day labor portions of such abatement shall be determined and fixed in accord with the definitions, values, and other requirements set forth under Iowa Administrative Code and such requirements and costs are by this reference incorporated herein and made a part hereof, as may be amended from time to time. All other costs, fees, and expenses incurred involving abatement shall be calculated at the exact cost therefore initially borne by Jasper County, Iowa in such enforcement endeavors.
- 13.5. **Abatement Fund** - To better ensure ongoing enforcement of the provisions of this Regulation, the Jasper County Board of Health, through the office of the Auditor of Jasper County, Iowa, shall at all times keep and maintain as part of its annual budget, a special fund to be known as the “Board of Health Enforcement Fund”. Such fund may be annually appropriated by the Board of Supervisors such sums as are necessary to bring the balance in such fund up to the sum of five thousand dollars at the beginning of each fiscal year. Such fund may be used solely for the purpose of Board of Health Regulations. During each fiscal year, all sums received by Jasper County, Iowa resulting from efforts to enforce the provisions of this Regulation shall be directed into such fund to maintain such fund at the aforesaid minimum level. In the event that the balance of such fund exceeds ten thousand dollars, all sums above such maximum fund balance shall be delivered over into the general fund of Jasper County, Iowa, less any estimated outstanding claims reasonably anticipate to be payable from such fund within sixty days.
- 13.6. **Variances** - Variances to these rules and regulations may be granted by the proper authority provided sufficient and proposed alternative information is afforded to substantiate the need and propriety for such action. Variances shall be requested in writing and addressed to the Jasper County Board of Health or authorized authority (i.e. Environmental Health Director). All decisions regarding this topic shall be issued in writing to the requester.
- 13.7. **Appeal** - Any person, who feels aggrieved by any notice or order made by the Jasper County Board of Health or its authorized agent, shall have the right to appeal to the Jasper County Board of Health at the next regular meeting. The Jasper County Board of Health by majority vote may modify, withdraw, or order compliance with said notice or order.