



# Septic Inspection Upon Property Transfer

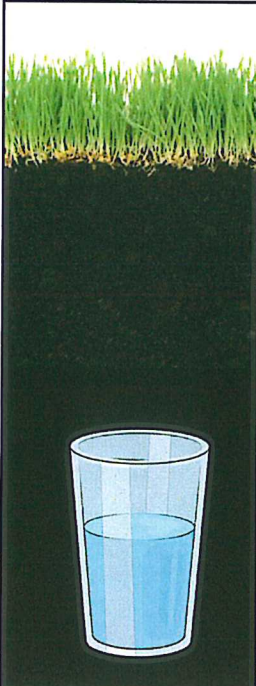
Warren County Planning Department



## What is a Septic Inspection Upon Property Transfer Law?



A law that would require a property owner  
to have the septic system inspected before  
transfer of title

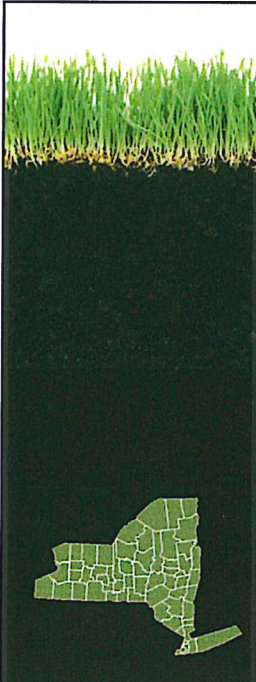


**Why have a Septic Inspection Upon Property Transfer Law?**

Failing septic systems can:

- Impair ecological resources
- Render drinking water unsafe

The illustration on the left shows a cross-section of green grass on top of dark soil. Below the soil is a clear glass filled with blue water, symbolizing the connection between land, septic systems, and drinking water safety.



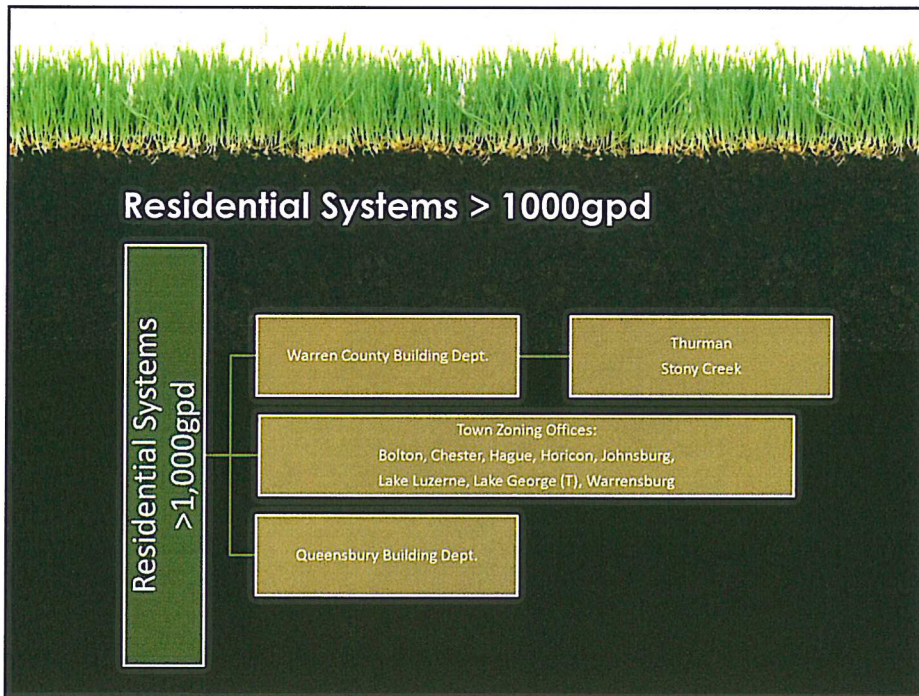
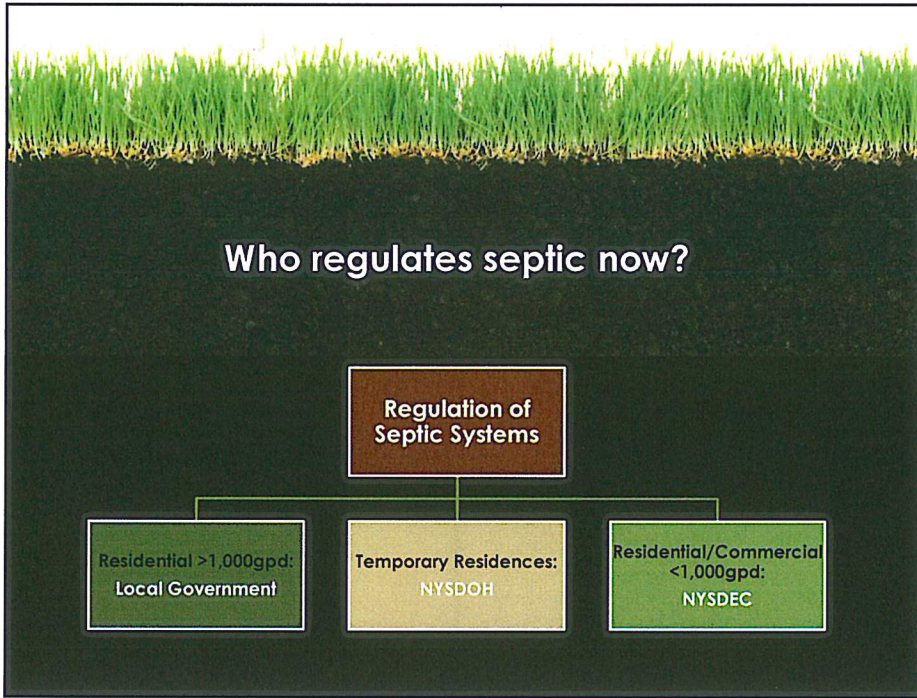
**Have other NYS counties adopted similar legislation?**

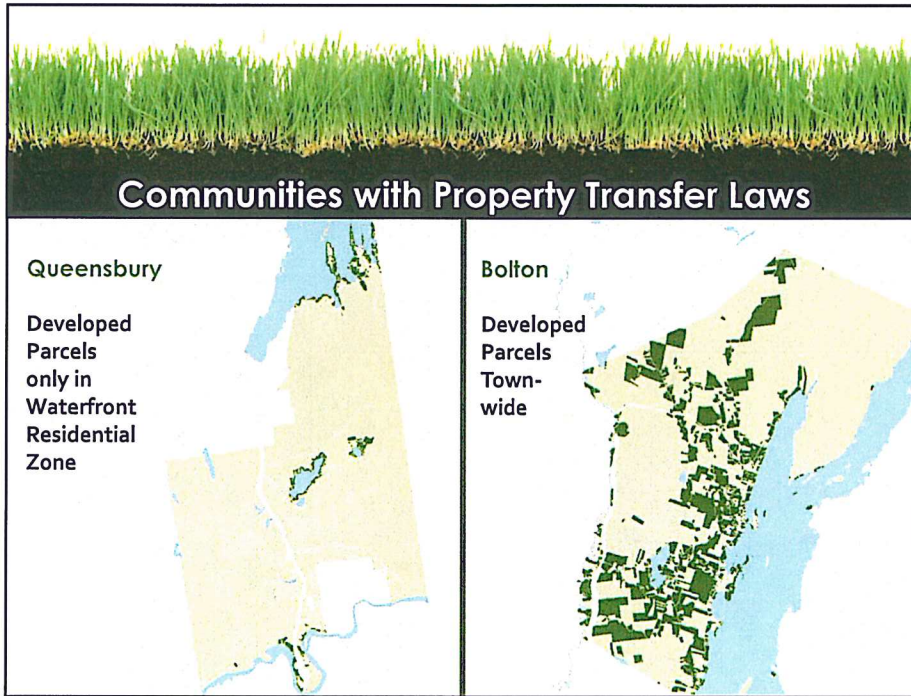
Yes, but:

- Those Counties have "Full-Service" Departments of Health
- Warren County has a "Partial-Service" Department of Health

The illustration on the left shows a cross-section of green grass on top of dark soil. Below the soil is a map of New York State with its county boundaries highlighted in green, representing the geographical context of the legislation.


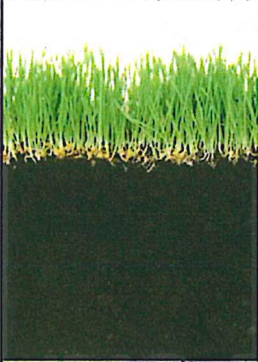







	<p><b>Holding Tank</b></p> <p>Sealed vessel used to store sewage until removed/transported off site</p>	
<p><b>Cesspool</b></p> <p>System without secondary treatment</p>	<p><b>Key Terms</b></p>	<p><b>D-Box</b></p> <p>Distribution box. Accepts effluent from septic tank and distributes equally to secondary treatment area</p>
	<p><b>Greywater</b></p> <p>Wastewater not containing human waste (i.e., sinks, showers)</p>	





### Typical Inspection Process




- Septic tank pumped out
- Uncover septic tank, seepage pit, D-Box
- Inspect system







### Minimum Standards to Pass Inspection

- Septic tanks within 250 gallons of minimum volume requirement
- All holding tanks equipped with float switch and high level alarm. Copy of pump out records
- For aerobic treatment systems or enhanced treatment unit (ETU), copy of updated service contract
- If system is determined to be failing or inadequate, obtain compliance agreement



	<p>Surface Discharge or Surface Discharge of Greywater</p>	
<p>Lack of Septic Tank</p>	<p><b>Failing Systems</b></p>	<p>Dye Test Presence of dye on ground or waterbody</p>
	<p>Sewage Backup</p>	

	<p>Pumping required 4x/year or backflow from secondary area</p>	<p>Holding Tank Discharging to Surrounding Subsurface Area</p>
<p>Presence of Cesspool</p>	<p><b>Failing Systems</b></p>	
	<p>Presence of Metal Tank</p>	<p>No discharge to outlet or adjoining property</p>




### What Resources are we trying to protect?

Queensbury: surface water  
Bolton: surface water, groundwater, soils

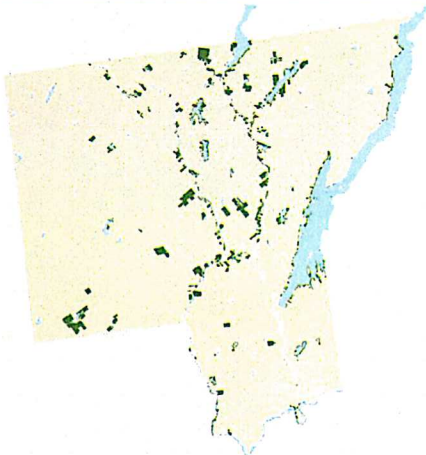
If surface water, only:

- Waterbodies over a determined size?
- Waterbodies of a certain classification?
- Lakes and ponds only, or streams too?




### Preliminary Considerations: Resources to Protect

- Lakes and Ponds 20+ acres
- Hudson and Schroon Rivers
- Developed parcels within 250' of above waterbodies










### By the Numbers

**~10%** 4,459 developed parcels within 250' of a waterbody over 20 acres

**94** Average property transfers per year (2017 and 2018) of above properties

**70** Average property transfers per year (2017-2018) of above properties not in Queensbury

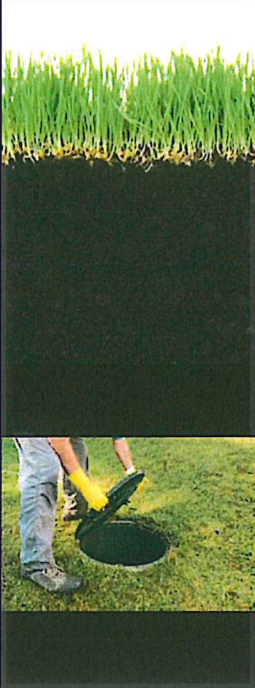


### Who Performs Inspections?

**Municipal Staff:**  
Town of Queensbury Building Department Staff


**Third Party Certified Inspectors:**  
Town of Bolton Septic Inspection Program





## Who Performs Enforcement?

- County Enforcement vs. Local Enforcement
- Managed by Real Property or Building Codes departments
- Appeals/Variations are typically handled by Town Board acting as the Local Board of Health
- Penalties



## Education and Outreach

- Information about the law
- Listening Sessions



<b>Our Next Steps</b>	
<b>Form Working Group:</b> <ul style="list-style-type: none"><li>• Building Department</li><li>• County Attorney</li><li>• County Administrator</li><li>• Planning Department</li><li>• Board of Supervisors</li></ul>	<b>Determine:</b> <ul style="list-style-type: none"><li>• Resources to Protect</li><li>• Enforcement Procedures</li><li>• Variance/Appeal Procedures</li><li>• Education and Outreach</li><li>• Protocols for interagency transmittal of information</li></ul>