SEPTIC SYSTEM RE-INSPECTIONS

Information for enforcement agencies and others interested in local septic system re-inspection initiatives

Ontario Ministry of Municipal Affairs and Housing
Housing Development and Buildings Branch

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1.0 Introduction

An on-site sewage system is clearly different than the centralized waste waster disposal systems of urban areas, with a major difference being that the property owner is responsible for the proper maintenance and operation of the septic system. Consequently, this brings the issue of responsibility for the environment into people's backyards and homes. The effect of operation and maintenance of septic systems, if done improperly, however, can extend beyond the backyard and affect public health and the natural environment. In turn, this can affect property values and tourism potential. The condition of existing septic systems is, therefore, important for a wide range of reasons.

The Building Code Act , 1992 (BCA) regulates the construction, operation and maintenance of on-site septic systems. The Act also provides regulatory powers that can be used by enforcement agencies for the inspection of existing septic systems.

The Ministry of Municipal Affairs and Housing (MMAH) has prepared this document to provide some background information for enforcement agencies and others who may be considering the development of a septic re-inspection program. The effectiveness and long term success of a local septic re-inspection program depends largely on the initiative of local officials and their sensitivity to the needs of property owners and the community. This document will provide some background on the current regulatory framework under which on-site sewage systems are governed and highlight some key issues for enforcement agencies to consider in developing septic re-inspection programs in their jurisdictions.

To date, a number of agencies have undertaken re-inspection programs for existing septic systems. This document will discuss the approaches taken by these agencies and highlight some issues for consideration in related areas. With this in mind, this information has been organized into the following key areas:

- Program Administration
- Inspection Criteria
- Funding Strategies
- Public Awareness

Note: This document is not intended to convey legal advice. It is suggested that public authorities considering a re-inspection program consult their legal advisors for advice about legal implications of the proposed program.

2.0 Background

2.1 Current Regulatory Framework For Septic Systems

With the transfer of the regulations for septic systems to the Ontario Building Code in 1998, MMAH has an interest in providing information to enforcement agencies and other interested parties to assist in the design and implementation of local septic re-inspection programs.

The overall administrative structure and authority for the enforcement of the septics regulations is provided by the Building Code Act, 1992 (BCA). It is within this framework that a municipality, health unit or conservation authority may set-up its septics re-inspection program.

2.2 What Does the Building Code Act Address?

This framework includes:

- Issuance of building permits for septic systems (as opposed to the previous certificates of approval and use permits issued under the Environmental Protection Act (EPA)).
- The agencies which can enforce the BCA and the Ontario Building Code (OBC). Municipalities have the responsibility, but can delegate authority to health units and conservation authorities.
- The authority for the Building Code Commission and the Building Materials Evaluation Commission to handle disputes and assess new/innovative technologies.
- The OBC sets the requirements for certification of septics inspectors and installers. In the case of installers, the firm must obtain a license and a key condition for obtaining a license is that a designated person must pass a MMAH exam. Inspectors must also pass an exam.
- Powers of building officials and inspectors (to issue unsafe orders, collect permit fees, do inspections, order tests, etc.).
- Authority for the creation of regulations covering design, construction, operation and maintenance of septic systems.

3.0 Inspection Criteria

The authority for enforcement agencies to conduct inspections of potentially unsafe on-site sewage systems is provided by BCA s.15(1). BCA s.15(1) provides inspectors with a right of entry onto land "to determine whether a building is unsafe", and BCA s.15(2.1) deems a sewage system (as defined) to be "unsafe" for this purpose if it is not maintained or operated in accordance with the BCA and the OBC. This power of entry is subject to the limits set out in BCA s.16., which prevents an inspector from entering a room or a place that is actually being used as a dwelling unit, unless the entry is in accordance with the criteria detailed below.

BCA 16.(1) Entry to Dwellings. Despite sections 8, 12, 15, 15.2 and 15.4, an inspector or officer shall not enter or remain in any room or place actually being used as a dwelling unless, (a) the consent of the occupier is obtained, the occupier first having been informed that the right of entry may be refused and entry made only under the authority of a warrant issued under this Act; (a.1) a warrant issued under this Act is obtained; (b) the delay necessary to obtain a warrant or the consent of the occupier would result in an immediate danger to the health or safety of any person; c) the entry is necessary to terminate a danger under subsection 15.7(3) or 17 (3); or (d) the requirements of subsection (2) are met and the entry is necessary to remove a building or restore a site under subsection 8 (6), to remove an unsafe condition under clause 15(5) (b) or to repair or demolish under subsection 15.4(1). 1992, c.23, s. 16(1); 19997, c.24, s. 224(9), (10).

It is unlikely that the powers of entry under BCA s.15(1) will be utilized by building officials except in circumstances where the building official has some reason to believe that the building (or sewage system) at issue may be "unsafe". BCA s.18 sets out certain powers that an inspector may exercise for the purposes of carrying out an inspection. If in the course of an inspection of a sewage system the inspector finds that the system is "unsafe", the inspector may make an order under BCA s.15(3) setting out the steps necessary to render the building safe and may require the steps to be taken within a certain period of time.

4.0 Program Administration

The purpose of this section is to highlight some issues surrounding the administration of a septics re-inspection program, including documentation, compliance and administration of property records.

4.1 Initial Communication with Public

In terms of initial communication with property owners, a letter to property owners about the program is important from a public relations and community education perspective. (For a greater discussion of community education, see Section 8.0, on Public Awareness.) Such a letter lets the community know the potential value of the program and informs owners that the scope of the inspection will be primarily limited to a visual surface inspection. This background information should also explain the follow-up options that are available to property owners whose systems exhibit deficiencies found during the re-inspection. (Section 4.6 provides an explanation of the scope and limitations of re-inspections.) This letter also provides the enforcement agency with a measure of protection from liability that may arise from misplaced expectations about the comprehensiveness of the inspection and, therefore, from misunderstandings about the meaning of communications that may be made by the enforcement agency.

Coverage from such media as community newspapers, as well as cottage association newsletters are also valuable means of broadening awareness and acceptance of a local re-inspection program.

4.2 Documentation

Prior to the re-inspection of a property, an inspector will find it useful to review the property's septic records. Consideration may also be given to requiring that the property owners provide the inspector with a diagram of the property marking the location of the system. This should prevent an inspector from visiting a property and being unable to conduct the re-inspection due to the fact that the septic system cannot be located. If the system cannot be located, and the re-inspection cannot be completed, then consideration may be given to documenting the septic system as deficient, or flagging it until adequate information is provided. This will then require the property owner to provide the diagram to the inspector for a visual re-inspection. When available, it has also proven useful for inspectors to have a copy of the use permit with them when conducting the re-inspection, rather than spending time in either trying to match permits or obtaining the copies of permits from owners. Regarding the inspection itself, current re-inspection programs rely on three essential component areas of documentation:

- **Inspection Reports** - An inspection report provides both the inspector and the property owner with a record of information recorded on site during the visual re-inspection. A two-copy (sensitized form) enables the inspector to give the owner a copy of the inspection findings immediately on-site. The inspector may then retain the other copy for agency records.

Assessment Report Information

Item	Information
Personal Information	Name, address, property legal description
Existing Facilities	Class of sewage system, leaching bed type
Observations	Visual indications of components of an unsafe sewage system
Diagram	To identify dwellings, water bodies, sewage system, clearances
Requirements	Provide details on the remedial work required

- **Letter to homeowner** - A letter to the property owner detailing the results of the inspection is a valuable communications tool. It may inform the owner that their system is in need of remedial action or that there is no indication from the visual inspection of an unsafe system. If the system is in need of remedial action, the letter should describe the visual deficiencies observed by the inspector and who the property owner should contact for further information regarding their intentions to remedy the deficiencies. The letter should also make a clear link between observed conditions with the septic system and specific provisions in the OBC dealing with improper operation and maintenance (key requirements are detailed in Section 4.6). The owner should also be informed that if they do not respond within a specified time frame, they may be issued an Order to Remedy an Unsafe Building.

- **Documentation of safe condition** - When there is no indication of an unsafe sewage system, the property owner should be provided with some documentation that a visual surface inspection of the sewage system was conducted (with date specified), at which time there was no indication of an unsafe condition. This documentation could be in the form of a sticker which is affixed to the property, or a letter given to the property owner.

4.3 Compliance

Experience suggests that knowledgeable property owners who understand the implications of unsafe systems will be more willing to comply with inspections (and prevent unsafe conditions from occurring in the first place). When property owners are educated and aware, compliance rates are significantly high. Consequently, public awareness programs surrounding septic re-inspections may largely influence voluntary compliance.

Nevertheless, as mentioned previously, BCA s.18(1) does provide for powers that are available to an inspector to obtain further information about unsafe septic systems. A municipality, or other enforcement agency, by commencing a re-inspection program may assume an obligation to pursue remediation of the deficiency, once it becomes aware of the situation. If in the course of an inspection of a sewage system the inspector finds that the system is "unsafe", the inspector may make an order under BCA s.15(3) setting out the steps necessary to render the building safe and may require the steps to be taken within a certain period of time. In this case, the follow-up letter to a property owner also serves as a valuable tool to inform the property owner of their obligations.

4.4 Administration of Property Records

Those with experience in re-inspection programs have suggested that tracking may be the single most important consideration in the effectiveness of a program.

Records for septic systems are often filed under owners' names, rather than through property or tax assessment files. Invariably, this creates difficulties in tracking a property over time if it changes ownership. Thought should be given to filing septic system records according to property address or assessment role rather than ownership.

While a database or tracking program may take some effort to establish, it becomes invaluable for generating statistics or follow-up abatement information.

4.5 Septic Systems and Property Sales

The BCA, does not automatically require re-inspection of septic systems upon the sale of a property. Lenders, realtors and lawyers involved in the sale of properties with septic systems should be knowledgeable about septic operation and maintenance issues and this issue should be appropriately addressed in the agreement of purchase and sale. They should determine if there is a septic system on the property and satisfy themselves that it is working properly (this is a matter which may be addressed in the agreement of purchase and sale). If up to date septic system records are available to potential property buyers (either from the previous owner, or on file with the municipality), then purchasers should be able to investigate a septic system's health further, based on such risk factors as age, previous orders, etc. Based on this investigation, and availability of records, a professional inspection may be appropriate. Filing of septic records according to property, rather than owner would facilitate this process.

4.6 Scope/Limitations of Inspections

There are time, cost and liability limitations to the scope of a septic re-inspection program. Thus, a visual re-inspection of an on-site sewage system is perhaps the most viable option for a program. More intrusive inspection techniques (such as dye testing opening-up of septic systems, or testing of soil depth) would require that a property owner always be present and agree that their system undergo the testing. Such testing is also more time consuming and considerably more expensive than a visual inspection.

As most septic systems are generally "buried" installations hidden from normal view, many deficiencies may not show themselves during a visual inspection. As such, it may not be possible to make an accurate assessment of the functioning of the system in all cases, as certain problems may be hidden. It is still important for homeowners to understand the operation of their system and the importance of proper maintenance.

A visual examination by an inspector is able to identify some conditions that provide evidence of an improperly operated or maintained system as per OBC section 8.9.1.2.

BCA 8.9.1.2 General Requirements for Operation and Maintenance
(1)Every sewage system shall be operated and maintained so that, (a) the sewage system or any part thereof shall not emit, discharge, or deposit sanitary sewage or effluent onto the surface of the ground, (b) sanitary sewage or effluent shall not emit, discharge, seep, leek or otherwise escape from the sewage system or part thereof other than from a place or part of the sewage system where the system is designed or intended to discharge the sanitary sewage or effluent, and (c) except as provided in sentence (2), sanitary, sewage or effluent shall not emit, discharge, seep, leak or otherwise escape from the sewage system or any part thereof into a piped water supply, well water supply, a watercourse, ground water or surface water.

The timing of inspections plays a key role in identifying potential deficiencies of an on-site sewage system. For example, the effectiveness of conducting inspections during April/May or October/November will be greatly reduced on cottage properties, simply for the fact that many dwellings are vacant for extended periods in these months.

An advantage of avoiding intrusive re-inspection techniques, such as undertaking test openings in the leaching bed area and opening covers, is that there is a lower chance that an inspector will damage an existing system while on a property. However, inspectors should be aware of personal risks of health and safety during the course of their inspections, and be cautious of flimsy covers and abandoned or collapsing tanks and other possible unsanitary conditions.

Deficiencies for Sewage System Classes
Observable During A Visual Re-Inspection

Class 1 (Privy)

- Absence of fill around the base of the privy
- Inadequate soil depth

Class 2 (Greywater)

- No evidence of a grey-water pit; pipe on surface of the ground
- Absence of fill around the base of an existing pit
- Inadequate cover

Class 4 (Septic System)

- No existing system; pipes on surface of the ground, or slightly buried
- Old tanks in need of replacement
- No indication of leaching bed; outlet pipe from ground extending into/onto ground
- Leaching bed completely overgrown, in need of replacement
- System completely buried; requires information

Class 5 (Holding Tank)

- Corroded access cover
- Holes in holding tank
- Access openings not properly sealed

General

- Extra plant growth over the leaching bed area
- Foul odours outside
- Effluent breaking out to the ground surface
- Significant algae growth in or around nearby lakes or water bodies.

Source: Township of the Archipelago

Items identified by the Town of Gravenhurst during visual inspections

During a visual re-inspection, an inspector may note a problem such as a driveway, deck, patio, or even tennis court built over-top of the bed area. In the Town of Gravenhurst, the following are items identified by inspectors during a visual inspection:

- Type of building
- Type of tank
- Type of system
- Evidence of sewage effluent visible and/or odour
- Evidence of erosion of septic bed side slopes
- Whether the groundwater flows toward the system
- If the sewage system/septic tank is properly located on the property
- Whether the sewage system bed has trees/vegetation growth
- Whether the system is located more than 50ft. from the water
- Whether there is a privy located on the property
- Whether property is water access only
- Whether the sewage system serves more than one building
- If the system uses a pump chamber
- Whether a sewage system approval exists

Source: Town of Gravenhurst

(For an overview of the Township of the Archipelago and Gravenhurst's septic system re-inspection program, see section 6.1)

4.7 Inspection Capacity

One factor contributing to the effectiveness of a septic system re-inspection program is determining the number of re-inspections which a program intends to conduct per year.

In determining this capacity to conduct re-inspections, consideration should be given to such factors as:

- The number of sufficiently-trained staff to provide timely follow-up with property owners for the anticipated number of systems which may have problems.
- The impact a program will have on municipal building permit issuance, inspectors and local staff resources.
- The capacity of local septic system installers to meet the demand for an increase in repairs, pump-outs and new system installations.

The phasing of inspections (e.g., beginning with high risk systems) will serve to assist in mitigating any impacts on the local industry and municipal resources in meeting the demands for their services.

5.0 Assessment Issues

5.1 Who Does the Assessment: Inspector Qualifications

Given the relationship of inspections to enforcement authority under the BCA and OBC, it would be difficult for a program to be established which is not linked directly to the local septics enforcement agent. The regulatory authority for inspectors is given in BCA s. 3(1), which provides for municipal responsibility for the enforcement of the Act and the ability to appoint inspectors if they meet the qualifications specified in the Building Code. BCA s. 3.1(2) and 32.1 also provides for the appointment of sewage system inspectors by a board of health, conservation authority or planning board, where applicable.

Whether seasonally employed or not, those people conducting inspections should be appointed building inspectors pursuant to the BCA and certified as on-site sewage inspectors. Training and certification for On-Site Sewage Inspectors is administered through the Ministry of Municipal Affairs and Housing's Housing Development and Buildings Branch. A course in the BCA itself, may also prove useful in understanding enforcement issues.

If students or other part-time employees are hired to conduct septics re-inspections, an enforcement agency must also consider what procedures should be followed if a problem is found with a septic system by seasonal inspectors. If a problem is encountered, a full-time, experienced inspector, or Chief Building Official, might be responsible for follow-up and pursuit of compliance.

5.2 What are the Assessment Criteria?

A fundamental element of a septic system re-inspection program is the criteria that will be used to determine the risks posed by sewage systems which merit the re-inspection of the system. In turn, the inspection criteria affect other fundamental administrative aspects of the program such as costs and staffing considerations - a more exhaustive re-inspection program will obviously require more staff and increased funding requirements. Regardless of the criteria, public education and awareness of the issue are still integral components of any program.

The establishment of risk levels associated with existing systems provides some indication for believing that an unsafe condition may exist, and that a re-inspection is appropriate. Examination of a property's history may highlight factors that provide an indication of risk levels and provide "reasonable grounds" to conduct inspections for an unsafe condition. This allows re-inspections to be undertaken in an effective defensible manner, targeting those systems with the highest risk levels. These criteria may include:

- **Age of System**: In general, the older the system is, the greater the likelihood that problems may exist. For example, if a septics system is 20 years old, and has not been re-inspected since installation, this would provide reasonable grounds for a visual re-inspection due to age. Recently installed systems should not generally require immediate re-inspection and may in turn be re-inspected at a later date.

- **Previous Complaints**: A septic system with registered complaints against it would indicate that the system is a potential higher risk than other systems.

- **Existence of Records**: If records do not exist for a property's on-site sewage system with either the municipality or previous delivery agents, or the property owners, it might then be the case that no permit was ever issued for the septic system. The lack of information might be considered a reason to re-inspect.

6.0 Program Structure

The following examples present alternatives on how a program may be structured around re-inspection criteria. They are intended to provide an indication of the different approaches taken to a re-inspection program, with each using some reasonable grounds to conduct the inspections for unsafe conditions.

6.1 Proactive Re-inspection: High, Moderate, Low Risk Conditions

When considering a re-inspection program to determine if an unsafe condition may exist, some thought should be given to characterizing the level of risk associated with existing systems. Moreover, the phasing in of a septics re-inspection program could be facilitated if there are criteria established that separate those systems which may pose more of an immediate concern, from those which are relatively new and may be re-inspected at a later date. This allows for gradual implementation of the program over several years.

One way of addressing these concerns is by characterizing inspections according to high, moderate and low risk scenarios. High risk scenarios

would apply to those septic systems which pose a significant risk of improper operation and maintenance. Employing these risk level scenarios provides the benefit of allowing for early detection of operation and maintenance problems.

Proactive re-inspections may be more suitable where the municipality is the enforcement agent, because of access to property records. However, without a full understanding of program goals and importance of proper septic maintenance and operation, property owners may perceive the program to be invasive or unnecessary.

Township of the Archipelago

The Township of the Archipelago, in the District of Parry Sound, has been recognized for the success and proactive nature of its on-site sewage re-inspection program. The Township of the Archipelago undertook to inspect all septic systems in the township (totalling more than 3,100) over an 8-year period commencing in 1999. Archipelago's approach is to focus initially on systems that it classifies as higher risk, based on the availability of records related to the system or its age.

Township of the Archipelago's Sewage System Ranking Criteria

High Risk	No Record of approved sewage system or greater than 20 years old.
Moderate Risk	Approved sewage system between 10 and 20 years old
Low Risk	Approved Sewage system is less than 10 years old.

In 1999, two inspectors were hired and trained to carry out the assessments over the summer months, with unsafe conditions flagged for verification by senior inspectors and, where necessary, orders issued to require remedial measures. The inspection of each property costs approximately $30 per property and approximately 400 properties are expected to be covered annually. Notification of the program given to property owners in their tax notices, sent in January.

Since its inception, property owner compliance has been overwhelmingly positive. As of December 1999, the Township has a 95 percent response rate from owners in addressing the deficiencies identified by the inspectors. Starting with the highest risk level category in 1999, of the 397 inspections, 38% were awarded stickers indicating no evidence of an unsafe condition and 62% had some level of deficiency observed by an inspector and subsequently received a letter. Not all deficiencies suggest an unsafe condition. For example, the inspectors may have identified a probable septic bed area and sent a letter requesting information such as age, tank type and the distribution pipe length. The property is only listed as deficient until the information is provided.

Town of Gravenhurst

A number of municipalities in the District Municipality of Muskoka conducted re-inspections in 2000. Approximately 3000 properties were inspected in the entire District.

One municipality which implemented a re-inspection program was the Town of Gravenhurst. In the Spring of 2000, the Town Council authorized a septic re-inspection program with a target of 400 re-inspections for the season. The program was conducted with the intention of targeting private sewage systems that may be causing pollution, or pollution caused through the absence of a sewage system.

Through the course of the summer months, 514 properties were inspected. As a result, 89 letters were sent regarding various problem areas. Thus far, twenty-seven of the 89 property owners that received a letter made various improvements or produced the required documentation outlined in the letter. Twenty-eight letters were also distributed to property owners specifically on the issue of tree/vegetation growth over the septic bed. Students were hired and trained to conduct the initial site inspections and the Town's building inspectors conducted the follow-up abatement.

Properties were selected for the inspection process with the aid of the Town's GIS program and the accumulation of information pertaining to previous sewage system records.

6.2 Proactive Re-inspection: Area Wide

Alternatively, criteria for inspecting a septic system may not be based on risk factors associated with a particular septic tank or property. Rather, the enforcement authority may decide to inspect all on-site sewage systems in a given area when proactive water quality testing in a lake or river indicates that there is potential contamination. This program structure, therefore, emphasizes the importance of overall water quality and environmental health and is rooted in a watershed management approach.

This approach may be more appealing to a conservation authority because of the involvement of water testing. Also, individual property owners may not feel targeted, or threatened due to the watershed management approach of area wide inspections. An enforcement agency must also decide, from a policy perspective, how to conduct and structure the program based on a "risk management approach".

North Bay-Mattawa Conservation Authority

The North Bay-Mattawa Conservation Authority (NBMCA) Inspection Program is an example of a program run from a watershed management approach. The conservation authority tests waters of a lake, based upon complaints received, and conducts individual septic inspections if poor water quality is determined by the tests.

The NBMCA program has operated over the last four years under the premise that site specific testing is not an advantageous approach given time and cost restraints. They will respond to complaints, send in a septic inspector to investigate and issue an order to comply if necessary. The NBMCA has also found that for their purposes a watershed management approach is acceptable to local property owners because owners do not perceive themselves as targets. Public support for the program has been positive and communication with property owners is still important. The public is sympathetic to the objectives of the program and concerns surrounding water quality and public health given that this particular approach focuses on the health of rivers and lakes.

Northwestern Health Unit

The Northwestern Health Unit (NWHU) is another example of a program where an enforcement agent other than a municipality has developed a proactive septic system re-inspection program. While not basing inspections on a risk-assessment framework, the NWHU has been conducting inspections of properties by invitation from cottage associations. Health Unit inspectors conduct investigations and costs for conducting inspections are covered through revenues from building permits.

Inspections of systems in a defined area (by invitation of a cottage/property owner association) have worked well in that property owners understand that the program is related directly to the health and safety of the lake/river on which their property is located. Experience has shown that property owners show a genuine concern if their system is considered unsafe. Any apprehension from property owners has been related to their lack of knowledge of Building Code issues, rather than objecting to the septic re-inspection program. This has been addressed through increasing public awareness of such issues.

NWHU is also changing its permit database to tie septic inspections to the legal address of property, rather than owner's name. As discussed previously, this will facilitate the tracking of a septic system's history.

7.0 Funding Strategies

Municipalities and other enforcement agencies must also consider how a re-inspection program will fit into their strategic priorities, in terms of staffing and financial resources. Several approaches for funding such a program might be considered, including general revenues, building permit fees and youth employment programs to hire students as seasonal inspectors.

7.1 Property Taxes and General Revenue

Municipal councils could approve and endorse the allocation of funds from property taxes or general revenue. This approach may be facilitated with council knowledge that a percentage of inspected septic systems will also require remedial action on the part of some property owners, including the installation of new septic systems in the manner of a new septic system. Owners may also pro-actively undertake action if they are aware that a program is underway. Both will affect the number of permits issued in a municipality, and may generate revenue as a result.

7.2 Student Employment Programs

Given that the costs of re-inspections are largely related to staffing, an enforcement authority may also decide to employ students as seasonal inspectors to either conduct the re-inspections or assist current staff. The use of university students, provided they are qualified as inspectors, is efficient from both cost and time perspectives, given that they are available within the time period when an inspection program will likely be in operation and seasonal properties will be in use. Funding subsidies for hiring students over the summer are available from both the provincial and the federal governments.

At the provincial level, Ontario's Ministry of Training, Colleges and Universities operates the *Summer Jobs Service* program. Through this program municipalities may apply for a $2.00 per hour wage subsidy to hire summer students. The program is intended for youth aged 15 to 25, or up to 29 years for persons with disabilities who are planning to return to school in the fall. More information on the *Summer Jobs Service* program is available from the Job Grow and Training Hotline at 1-888-JOB-GROW or on the internet at http://www.edu.gov.on.ca/ .

The federal government, through Human Resources Development Canada (HRDC), has also traditionally provided wage subsidies to employers to assist in the creation of such summer jobs.

Public sector organizations that are successful in their application for funding from HRDC, are given a subsidy under the *Summer Career Placement (SCP)* program. A public announcement launching the program is usually made in the middle of February, after which proposals for funding may be submitted by interested sponsors.

Further information regarding this program is available from local HRDC offices. More information on the *Summer Career Placement (SCP)* program and HRDC youth initiative programs are available through the youth info line at 1-800-935-5555 or on the internet at http://youth.hrdc-drhc.gc.ca/ .

8.0 Public Awareness

For those jurisdictions which have implemented re-inspection programs, voluntary compliance has been high in a large part due to successful education and appreciation by property owners of the proper operation and maintenance of a healthy on-site sewage system. The education of property owners about their responsibilities and legal obligations is in a large measure, the role of municipalities, health units and conservation authorities. However, Cottage Associations and other community groups can provide valuable support in public education initiatives to their membership and others.

In terms of general knowledge, property owners should be aware that the rules for smaller on-site septic systems have been covered by the Ontario Building Code (OBC) as of April 6, 1998. These rules, in Part 8 of the OBC, set out the technical requirements for septic systems. Part 8 includes: the different classes of septic systems (with an emphasis on Class 4 systems - leaching bed systems); regulations related to the operation and maintenance of all sewage systems requirements for servicing by qualified people; wastewater monitoring and sampling; septic

tank pump outs, etc. Property owners should understand that while the Province of Ontario has put the rules in place, local agencies (municipal building departments, boards of health, conservation authorities) are responsible for issuing permits and conducting the inspections. If property owners have questions regarding their septic systems, they should be advised that they may contact the appropriate enforcement agency in their area

Should property owners have questions of a general nature on how the Ontario Building Code works, these can be directed to the Ministry of Municipal Affairs and Housing, Housing Development and Buildings Branch. The Housing Development and Buildings Branch has also prepared a brochure called, "A Guide to Operating & Maintaining Your Septic System". It can be obtained free of charge by contacting MMAH at the address listed in Appendix C, or on the internet at http://obc.mah.gov.on.ca/ . The brochure provides some helpful advice for property owners about the steps they can and should take to help their septic system perform. Topics discussed include:

- How your Septic System Works
- Common Septic System Problems
- Tips on Maintaining Septic Systems
- Tank Inspections and Cleaning

The brochure can be useful in helping property owners become aware of the impact their actions have on the environment and public health. A local education program on proper maintenance of septic systems directed at property owners, might also include such issues as:

- Informing people that no one other than a properly equipped, trained and licensed contractor should enter a septic tank for any reason, due to deadly gases in the tank.

- Homeowners should be aware that anyone in the business of installing, repairing, emptying, cleaning or servicing septic systems must be licensed by the Ontario Ministry of Municipal Affairs and Housing. Licensed installers must have qualified personnel supervising all projects. Supervisors must pass exams to become qualified.

- The Ministry of the Environment licenses pumpers.

- The daily operation of on-site sewage systems affects the health of a system (disposing of solids appropriately, conserving water, protecting the leaching bed, maintaining the right drainage).

The fact that re-inspections are visual and non-intrusive may quell ratepayer apprehension about the program. Property owners, if informed ahead of time, may also decide to take a proactive interest in the health of their septic system by replacing, pumping out, or upgrading their system prior to an inspection. Cottage and property associations may also organize a "bulk purchase" of pumping services in conjunction with the local re-inspection program.

9.0 Conclusion

The Ministry of Municipal Affairs and Housing (MMAH) is supportive of initiatives which are designed to ensure that existing septic systems are properly maintained and operated by property owners. The BCA provides regulatory powers that can be used for the re-inspection of existing septic systems.

There are many benefits from the implementation of a septics re-inspection program. These benefits include a raised awareness among property owners as to septic system operation and maintenance issues; the identification of properties with older, potentially failed or failing systems so that corrective action can be undertaken, and a general improvement in the natural environment and public health. The importance of tourism in many areas where septic systems are used cannot be overlooked as water quality plays a significant role in maintaining the viability of local tourism industries.

This document is intended to provide some background information for enforcement agencies and other parties who are interested in designing and implementing septic re-inspection programs. Along with the issues highlighted here, such as program administration, funding, inspection criteria and public awareness, it is essential to recognize that cooperation between enforcement agencies and property owners are the key supports to the implementation and operation of a successful re-inspection program.

APPENDIX A: Sample Property Owner Letters

Lake of Bays Township - Introductory Letter

PLEASE BE ADVISED THAT, COMMENCING THE SPRING OF 2000, THE TOWNSHIP OF LAKE OF BAYS WILL BEGIN A RE-INSPECTION PROGRAM OF SEWAGE SYSTEMS WITHIN THE MUNICIPALITY.

Effective April 6th, 1998, responsibilities with respect to on-site sewage systems that service properties with a total daily design sewage flow-rate of less than 10,000 litres were transferred from the Environmental Protection Act to the Building Code Act. A sewage system is now defined as a "building" under the Building Code Act. Accordingly, if a sewage system is discharging sewage into the natural environment or if it is not being properly operated and maintained, it is determined to be an unsafe "building". Should a system be found to be unsafe, the property owner shall be required to bring it into compliance with the minimum standards of the Ontario Building Code.

All properties with any septic system will be subject to this inspection up to and including systems installed in 1999. All information collected at the time of inspection, plus information in our files, will be placed in a common database for future use.

Inspectors will conduct property inspections over the non-winter months beginning with sensitive lake areas, then proceeding by former townships (wards). The projected plan of completion for this program is five years. The property owner will be notified in writing if their system has been determined to be unsafe. The owner must take the necessary steps to render the "building" (sewage system) safe.

The initial inspection will be a visual surface inspection without the need of the property owner being in attendance. The property owner's assistance or attendance may be required if components of the system cannot be located. An information pamphlet will be left on site at all properties visited.

The cooperation of property owners will ensure that this program be completed in a prompt and efficient manner and assist in providing continued enjoyment of a clean and healthy environment.

FOR FURTHER INFORMATION, PLEASE CONTACT THE TOWNSHIP OFFICE:

Stephen Watson, Chief Building Official
Phone: 705-635-2272 Fax: 705-635-2132 e-mail: bldg@lob.muskoka.com

Township of the Archipelago - Sample Deficiency Letter

Dear Property Owner:

The Township of the Archipelago has undertaken a sewage system re-inspection program. The goals of the program are to inspect all existing sewage systems in the township and to bring all unsafe systems into compliance with the Ontario Building Code

Based on information contained in the township's property files, all sewage systems were classified into three categories: high, moderate, or low risk of being unsafe. Properties with no record of an approved sewage system, or a system greater than twenty years old were ranked as high risk. The first properties to be inspected are those with systems included in the high risk category.

Pursuant to section 15(1) of the Ontario Building Code Act, a visual surface inspection of your sewage system was conducted on May 31, 1999. Please refer to attached page for more information.

Attached page includes:

- Property description
- Description of the visual deficiencies
- Directive to contact the environmental inspector at the Township Office within ten days from the date of the letter as to the recipient's intentions with respect to remedying the deficiencies
- Notice that failure to contact the office in the time frame specified may result in the issuance of an *Order to Remedy an Unsafe Building*

APPENDIX B: Sample Inspection Form

SEWAGE SYSTEM SITE RE-INSPECTION REPORT

Inspector: Date:

PROPERTY OWNER(S)	PROPERTY DESCRIPTION	ROLL NUMBER	MAP I.D. #
.....	.....		

INFORMATION RECORDED IN FILES	CLASS	CERTIFICATE OF APPROVAL	USE PERMIT	TANK TYPE & SIZE BED / TRENCH SIZE	OTHER INFO
			YES ❒ NO ❒		

INFORMATION RECORDED ON SITE ⇨	CLASS	
		WATER LINE INTO DWELLING(S) YES ❒ NO ❒ ? ❒ PRESSURIZED YES ❒ NO ❒ ? ❒
		SEWER LINE OUT OF DWELLING(S) VISIBLE ❒ NOT VISIBLE ❒ PUMPED YES ❒ NO ❒ ? ❒ SIZE ⇨ ⇧ CONDITION

TILE BED TYPE TRENCH ❒ FILTER ❒ ⇩ VEGETATION & GENERAL CONDITION ⇩	TANK TYPE ⇩ SIZE ⇩ ⇩ GENERAL CONDITION ⇩
LENGTH.....WIDTH.....DEPTH.....	.....
TOTAL AREA IF TRENCH, # OF RUNS TOTAL TRENCH LENGTH	

GREYWATER PIT TYPE, SIZE & CONDITION	PRIVY ❒ COMPOSTING TOILET ❒ UNKNOWN ❒ CONDITION	HOLDING TANK TYPE, SIZE & CONDITION

MANTLE ⇩ VEGETATION ⇩ ⇩ DEPTH OF SOIL ⇩ ⇩ DISTANCE TO WATER	OTHER COMMENTS

IS THERE ANY VISUAL INDICATION THAT A COMPONENT(S) OF THE SEWAGE SYSTEM IS UNSAFE AT THIS TIME? NO ❒ YES ❒ IF YES, DESCRIBE UNSAFE

..... IF NO, WAS A STICKER PLACED? NO ❒ YES ❒

OVERALL RISK ASSESSMENT? HIGH ❒ MODERATE ❒ LOW ❒

RECOMMEND FOLLOW-UP BY ENVIRONMENTAL INSPECTOR? NO ❒ YES ❒ RECOMMEND AN ORDER TO REMEDY? NO ❒ YES ❒ IF YES, SUGGESTED REMEDIES

FOLLOW-UP BY ENVIRONMENTAL INSPECTOR SITE INSPECTION CONDUCTED? NO ❒ YES ❒ IF YES, WAS A STICKER PLACED? NO ❒ YES ❒

ISSUED ORDER? NO ❒ YES ❒ BUILDING PERMIT REQUIRED? NO ❒ YES ❒ DATE OF INSPECTION .....

COMMENTS .....

COMPLIANCE NO ❒ YES ❒ DATE OF COMPLIANCE SIGNATURE

APPENDIX C: Contacts

Ministry of Municipal Affairs and Housing
Housing Development and Buildings Branch
777 Bay Street, Toronto, ON
M5G 2E5
416-585-6666
http://obc.mah.gov.on.ca/
$ Publishes and distributes, *A Guide to Operating and Maintaining your Septic System*

Ontario New Home Warranty Program
Corporate Office
5160 Yonge Street, 6th Floor
Toronto, ON
M2N 6L9
1-800-668-0124
www.newhome.ca
$ Publishes and distributes, *A New Homeowner's Guide to Septic Systems*

Federation of Ontario Cottagers' Associations
239 McRae Drive, Toronto, ON
M4G 1T7
416-429-0444
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