

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF LANCASTER COUNTY, NEBRASKA

IN THE MATTER OF AMENDING SECTION)
VII OF COUNTY RESOLUTION NO. R-13-0064,)
PROCEDURES FOR THE INSPECTION OF ON-) RESOLUTION NO. R-17-0010
SITE WATER SUPPLY SYSTEMS AND)
ON-SITE WASTEWATER TREATMENT)
SYSTEMS PRIOR TO THE SALE, TRANSFER,)
OR CONVEYANCE OF PROPERTY IN)
LANCASTER COUNTY, NEBRASKA, AS)
PROVIDED IN ATTACHMENT "A")

WHEREAS, pursuant to Neb. Rev. Stat. § 23-174.10 (Reissue 2012), the Lancaster County Board of Commissioners adopted procedures for the inspection of on-site water supply systems and on-site wastewater treatment systems prior to the sale, transfer, or conveyance of property in Lancaster County on February 28, 2006, under County Resolution No. 06-0005 and on October 15, 2013, under County Resolution No. R-13-0064;

WHEREAS, County Resolution No. R-13-0064 previously has been amended by County Resolutions Nos. R-16-0049 and R-14-0048;

WHEREAS, the Lincoln-Lancaster County Health Department has recommended procedural changes to Section VII of County Resolution No. R-13-0064, as provided in Attachment "A," attached hereto and incorporated by this reference; and

WHEREAS, on February 7, 2017, the Board of Commissioners of Lancaster County, Nebraska, conducted a public hearing regarding the adoption of the amendments to Section VII of County Resolution No. R-13-0064, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property in Lancaster County, Nebraska, as provided in Attachment "A";

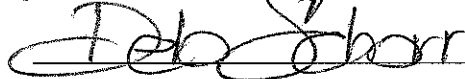
NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Lancaster County, the amendments to County Resolution No. R-13-0064, Procedures for the Inspection of On-Site Water Supply Systems and On-Site Wastewater Treatment Systems Prior to the Sale, Transfer, or Conveyance of Property in Lancaster County, Nebraska, as provided in Attachment "A," are hereby adopted, and shall become effective upon execution. These amendments shall supersede all previous amendments not in conformance herewith.

BE IT FURTHER RESOLVED, that a copy of this resolution be placed on file in the office of the County Clerk.

DATED this 7th day of February, 2017, in the County-City Building, Lincoln, Lancaster County, Nebraska.


BY THE BOARD OF COUNTY
COMMISSIONERS OF
LANCASTER COUNTY, NEBRASKA











APPROVED AS TO FORM
this 7th day of
February, 2017.



Deputy County Attorney
for JOE KELLY
Lancaster County Attorney

Attachment "A"

**PROCEDURES FOR THE INSPECTION OF ON-SITE WATER SUPPLY SYSTEMS AND
ON-SITE WASTEWATER TREATMENT SYSTEMS PRIOR TO THE SALE, TRANSFER,
OR CONVEYANCE OF PROPERTY**

**Section VII. REVIEW OF INSPECTION REPORT BY HEALTH DIRECTOR;
DETERMINATION LETTER**

- A. Upon receipt of an inspection report ~~and review fee~~, the Health Director will:
1. Document the day of receipt of the inspection report.
 2. Review and evaluate the inspection report.
 3. Provide a written or electronic determination letter to the owner or authorized agent within five (5) business days ~~after receipt of the inspection report and review fee~~. The determination letter will issue:
 - i. The approval of the OS to mean the structure and operational status are in substantial conformance with R-13-0062, C.R. 02-31, Title 124 NAC and/or Title 178 NAC 12; or
 - ii. The denial of the OS to mean the OS adversely affects or may adversely affect the public health and/or the environment; or
 - iii. An inability to approve or deny the OWWTS based upon receipt of a signed
- B. The owner or authorized agent is considered notified of the determination letter when the Health Director sends it by U.S. mail to the owner's or authorized agent's last known mailing address.
- C. If the owner or authorized agent disputes the Health Director's determination, the owner or authorized agent shall have the right to a hearing and appeal as provided in this resolution. A hearing or appeal does not stay the effect of the Health Director's determination.