

## **Appeal Process for Onsite Sewage Disposal Permits**

### Step 1

A sanitarian makes a decision to deny a Class 1 septic system permit.

### Step 2

The environmental health manager looks at the lot with the sanitarian and the property owner in an effort to resolve the issue.

### Step 3

A denial letter is issued if no viable Class 1 solution is found and the property owner does not amend their application and file for a Class 2 septic system permit. The denial letter advises the property owner that they have 30 days in which to appeal the decision to the Health Officer.

### Step 4

The applicant appeals the decision to the Health Officer within 30 days of the date the denial letter was mailed to the property owner.

### Step 5

The environmental health manager or Health Officer may arrange for an independent evaluation of the lot by a soil scientist from the Office of Environmental Health Services or a professional soil scientist hired at Health Department expense. The property owner may, at the property owner's expense, obtain a separate evaluation from a professional soil scientist and submit the evaluation to the Health Officer.

### Step 6

The Health Officer holds a hearing within 45 days of the date it is requested. The Health Officer then makes a decision based on all relevant facts and information presented to him or her about the suitability of the lot for a septic system and issues a written case decision within ten days after the hearing. In the event that the independent evaluation of the lot has not yet been completed, the hearing can be continued with the property owner's written consent until that report is available. The hearing can be postponed at the property owner's written request for a period not to exceed 120 days.

### Step 7

The applicant may appeal the decision of the Health Officer to the Board of Health within 30 days of the date the Health Officer's case decision was mailed to the property owner.

### Step 8

The Board of Health holds a hearing within 45 days of the date the hearing is requested. The Board of Health considers all relevant facts and information about the suitability of the lot for a septic system that are presented to the Board at the hearing. The Board of Health then makes a decision based on the facts presented to the Board and issues a written case decision within ten days after the hearing.

### Step 9

The property owner may seek further review if such review is provided for by law.