ENVIRONMENTAL/SANITATION CODE
OF
ATCHISON COUNTY, KANSAS

Chapter 1
ADMINISTRATIVE PROCEDURES

SECTION 1-1.0 AUTHORITY AND POLICY

1-1.1 LEGAL AUTHORITY.
This code is adopted under the authority granted to the Board of County Commissioners by K.S.A. 19-3701 through 19-3709 as amended. This code shall be enforced pursuant to authority granted unto the Board of County Commissioners, or the duly constituted governing body of Atchison County, Kansas. Nothing herein is intended to nor constitutes a pre-emption of similar authority conferred upon the Kansas Department of Health and Environment, separately enforcing the Water Well Construction Act, K.S.A. 82a-1201, et seq.

1-1.2 DECLARATION OF FINDING AND POLICY.
The County Commissioners find that provisions for adequate and reasonable control over the environmental conditions in unincorporated areas of the county are necessary and desirable; and that it is necessary to adopt a sanitation code to:

A. Eliminate and prevent the development of environmental conditions that are hazardous to health and safety, and
B. Promote the economical and orderly development of the land and water resource of the county.

For these reasons and objectives, it will be the policy of the Board of County Commissioners to amend this code from time to time with respect to any matter affecting environmental sanitation and safety.

1-1.3 PURPOSE.
The purpose and intent of this code is:

A. To prescribe the administrative procedures to be followed in administering this sanitation code or any amendments thereto;
B. To prescribe rules and regulations for controlling practices to minimize health and safety hazards;
C. To establish administrative procedures to facilitate fair and equitable regulation while recognizing the rights of affected persons to receive reasonable prompt processing and to appeal administrative decisions.

1-1.4 TITLE.
This code shall be known and referred to as the Atchison County Environmental/Sanitation Code.

1-1.5 APPLICABILITY.
The administrative procedures prescribed in this chapter shall be followed in administering this code and any amendments thereto.

1-1.6 EFFECTIVE DATE.
This code shall become effective on September 28, 1998 by county resolution.

SECTION 1-2.0 DEFINITIONS
The following words and phrases, when used in this code, shall have the meanings ascribed to them in this section, unless indicated otherwise.

1-2.1 ADMINISTRATIVE AGENCY.
The entity authorized to implement and enforce the provisions of this code. The administrative Agency for Atchison County is Northeast Kansas Multi-County Board of Health.

1-2.2 ADMINISTRATIVE RULES.
Those rules and regulations contained in Chapter 1 of this code which prescribe general procedures to be followed in the administration of the code adopted by the county.

1-2.3 AGRICULTURAL PURPOSE.
This code shall not apply to any premises which exceeds 10 acres in area and which is used only for agricultural purposes. For the purposes of this code "agricultural purpose" means a purpose related to the production of livestock or crops. The term does not include the dwelling unit.

1-2.4 AUTHORIZED REPRESENTATIVE.
Any person who is designated by the Administrative Agency to administer this code.

1-2.5 BOARD OF COUNTY COMMISSIONERS.
Means the Board of County Commissioners of Atchison County, Kansas.

1-2.6 BOARD OF HEALTH.
Means the N.E.K. Multi-County Board of Health (K.S.A. 65-201).

1-2.7 DWELLING UNIT.
Any building or structure occupied by a human being on either a full time or part time basis.

1-2.8 HEALTH OFFICER.
The legally appointed Health Officer of Atchison County or his/her duly authorized representative.

1-2.9 HEARING OFFICER.
Means any person designated by the County Commissioners to hear appeals from decisions of the Administrative Agency relating to the enforcement and administration of this code and other environmental/sanitary codes, not subject to enforcement as declared by statute to the county attorney.

1-2.10 PERMIT/LICENSE.
Means a right formally granted in writing by the Administrative Agency.

1-2.11 PERSON.
Any municipality, political subdivision, institution, corporation, partnership, association, or individual.

1-2.12 PREMISES.
Any one or more lots or tracts of land, including all buildings, structures, or facilities located thereon.

1-2.13 SANITATION CODE.
Procedures, standards, and regulations adopted by the county designed to minimize or control those environments and environmental conditions that may adversely affect the health and well being of the public. Such environments and environmental conditions may include, but are not restricted to: wastewater and wastewater disposal; water supply; nuisance; food and food handling. Whenever the term "code" is used herein, such reference shall be to the Environmental/Sanitation Code of Atchison County, Kansas.

SECTION 1-3.0 ADMINISTRATIVE POWERS AND PROCEDURES.

1-3.1 RIGHT OF ENTRY.
Representatives of the Administrative Agency and/or its designees shall have the power and authority to inspect, exam, and/or survey premises for compliance with the Atchison County Environmental/Sanitation Code.

1-3.2 OBSTRUCTION OF ADMINISTRATIVE AGENCY.
No person shall willfully and knowingly impede or obstruct representatives of the Administrative Agency in the discharge of official duties under the provisions of this code. Any representative denied access to any premises for the purposes authorized in this code shall have authority to seek such injunctive or other legal or equitable relief from the District Court as is necessary to ensure access and compliance with this code.

1-3.3 PERMIT AND LICENSE.

1-3.31 APPLICATIONS FOR PERMITS AND LICENSES.
All persons or their representatives required by this code to obtain a permit or license shall make application for such permit or license to the Administrative Agency on standard forms provided for that purpose.

1-3.32 ISSUANCE OF PERMIT OR LICENSE.
Within ten (10) working days after the receipt of an application for a permit or license required by this code, the Administrative Agency shall begin such investigations and inspections as necessary to determine whether the permit or license should be issued or denied, and shall issue or deny the permit or license within ten (10) days. If the permit or license is denied, the Administrative Agency shall send the applicant a written notice with the reasons for rejection stated thereon.

1-3.33 PERMIT NON-TRANSFERABLE.
No permit or license shall be transferable, nor shall any fees required and paid therefore be refunded.

1-3.34 STANDARD FEES.
For the purpose of defraying all or part of the costs of administration of this code, the Board of County Commissioners shall establish a schedule of fees for all permits and licenses required by the code, payable upon submission of application of such permit or license. Said fees shall be paid to the Administrative Agency and a receipt issued.

1-3.4 NOTICES, ORDERS, APPEALS.

1-3.41 NOTICE OF VIOLATIONS.
Whenever the Administrative Agency determines that there has been or is likely to be a violation of any provisions of this code, the Administrative Agency shall give notice of such violation. The notice:

A. Shall be in writing;
B. Identify the code violation and factual basis therefore;
C. Specify necessary corrective action;
D. Specify a reasonable period of time for performance of any corrective action and/or work required by the notice.

Such notice shall be deemed properly served upon the occupant or owner of the premises when a copy thereof has been sent by registered mail to the last known address of the owner or occupant as identified on the latest county tax rolls.

1-3.42 APPEAL FOR HEARING.
Any person aggrieved by any notice or order issued by the Administrative Agency under the provisions of this code shall be entitled to a hearing on the matter before a Hearing Officer;

A. Provided, that the stated violation is not against a Kansas State Statute, wherein it is the duty of the county attorney to prosecute said violation;

B. Provided, such person shall have filed with the Administrative Agency within ten (10) working days after the date of issuance of the notice or order, a written petition requesting a hearing and setting forth the grounds upon which the objection is made. The filing of the request for hearing shall operate as a stay of the notice or order, except as provided in paragraph 1-3.44 to follow. Upon receipt of such petition the Administrative Agency shall confer with the Hearing Officer and set a time and place for such hearing and shall give the petitioner seven (7) days written notice thereof. Upon request of the petitioner and for good cause shown, the Hearing Officer may continue the hearing from its original setting.

1-3.43 REPORT OF HEARING.
Within ten (10) working days after the hearing, the Hearing Officer shall submit a written report of his findings and decisions to the Appellant, which finding and decissions shall sustain, modify or withdraw the notice or order of the Administrative Agency. The appellant shall be notified in the same manner as is provided for in Section 1-3.41. Any appeal from a finding and decisions of the Hearing Officer shall be to the District Court of the County in which the property is located.

1-3.44 EMERGENCY ORDERS.
Whenever the Administrative Agency finds that an emergency exists which requires immediate action to protect the public health, the Administrative Agency, without notice or hearing, will issue an order reciting the existence of such an emergency and require that such action be taken to meet the emergency, including the suspension of the permit. Notwithstanding any other provisions of this code, such order shall be effective immediately and shall be enforceable in Atchison County District Court.

1-3.5 RECORDS

1-3.51 PERMIT APPLICATIONS.
Applications for permits or licenses required by this code shall be filed with the Administrative Agency.

1-3.6 DISCLAIMER OF LIABILITY.
This code and other sanitary codes adopted shall not be construed or interpreted as imposing upon the county or its officials or employees

A. Any liability or responsibility for damages to any property, or
B. Any warranty that any system, installation or portion thereof that is constructed or repaired under permits and inspections required by code will function properly.

1-3.7 SEPARABILITY.
If any clause, sentence, paragraph, section or subsection of this code shall for any reason, be adjudged by any court of competent jurisdiction to be unconstitutional and invalid, such judgment shall not affect, repeal or invalidate the remainder thereof, but shall be confined to the clause, sentence, paragraph, section or subsection thereof so found unconstitutional and invalid. (K.S.A. 19-3708)

1-3.8 PENALTIES AND ENFORCEMENT PROCEDURES.
Any person who shall willfully violate any provision of this code, shall be subject to the penalties provided for such violation pursuant to K.S.A. 19-3707. Each day's violation shall constitute a separate fineable offense. In addition, the Administrative Agency is hereby authorized to apply to the District Court for enforcement of this code.

1-3.9 REVIEW OF CODES
This instrument Upon approval by Kansas Departmental of Health and Environment shall be reviewed by Atchison County Commission every three (3) years.

ENVIRONMENTAL/SANITATION CODE
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Chapter 2
WASTEWATER AND DISPOSAL

SECTION 2-1.0 PURPOSE AND INTENT OF CODE
The provisions of this chapter are adopted for the purpose of regulating and controlling the location, construction, maintenance, and use of septic systems, alternate wastewater systems, privies, and the removal and disposal of materials removed from such facilities in order to protect the health of the citizens of Atchison County, to prevent nuisances, and to preserve property and natural resources for future use.

SECTION 2-2.0 APPLICABILITY
Pursuant to K.S.A. 19-3706, the provisions of this chapter shall apply to all unincorporated land located in Atchison County.

SECTION 2-3.0 DEFINITIONS.
The words, terms and phrases listed below for purposes of this code shall be defined and interpreted as follows:

2-3.1 ABSORPTION FIELD.
The term "absorption field" means a configuration of onsite trenches installed to absorb sewage effluent from a septic tank or other sewage solids removal devices.

2-3.2 ALTER.
Means to make different, modify, or change.

2-3.3 ALTERNATIVE WASTEWATER SYSTEM.
The term "alternative wastewater system" means any onsite sewage management system which has proven reliability and performance in field use, but which differs in design or operation from approved conventional septic tank and absorption-field systems.

2-3.4 APPROVAL.
Means accepted or acceptable by the Administrative Agency in accordance with applicable specifications stated herein or with additional criteria accepted by the Agency.

2-3.5 DISTANCES.
Means horizontal distances unless otherwise designated. Measurements referred to as "not less than", "minimum", "at least" and other similar designations shall mean horizontal distances unless specifically indicated otherwise.

2-3.6 DOMESTIC SEWAGE.
Means all water borne wastes produced at family dwellings in connection with ordinary family living, and similar type wastewater produced at offices, churches, industrial and commercial firms, exclusive of storm water, foundation drains and cooling water.

2-3.7 INDUSTRIAL/COMMERCIAL WASTEWATER. (SEWAGE)
Means any other liquid or water-borne wastes produced in connection with any industrial or commercial process or operation, other than domestic wastes.

2-3.8 KDH &E.
Means the Kansas Department of Health and Environment.

2-3.9 LAGOONS.
The term "lagoon" shall mean an artificial pond designed to exclude surface water and receive raw sewage through a submerged sewer for biological decomposition.

2-3.10 LOT.
The term "lot" means the smallest basic portion of a subdivision or other tract of land, normally intended to be developed and transferred individually.

2-3.11 ONSITE SEWAGE MANAGEMENT SYSTEM.
The term "onsite sewage management system" means a system that includes a septic tank, absorption field and all other elements intended to be used for management and disposal of sewage onsite. A septic tank-lateral system is an onsite sewage management system.

2-3.12 PRIVY.
A facility designed and/or used for the disposal of human excreta.

2-3.13 PUBLIC WASTEWATER SYSTEM.
The term "public wastewater system" means any sewage collection, treatment and disposal system, including sewers, treatment plants, pumping stations, force mains and all other elements owned, operated or managed by a public entity (including agents thereof) and serving more than one residential premises.

2-3.14 REGULATORY FLOODWAY.
The term "regulatory floodway" means an area designated by the Federal Emergency Management Agency which shall include the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the regulatory flood without cumulatively increasing the water surface elevation of more than one foot on the adjacent land.

2-3.15 REPAIR.
Means to make good, strong, or whole after damage, or to maintain in a state of good condition.

2-3.16 SANITARY SERVICES.
Means the pumping out and/or removal of wastes, sludge, or human excreta from privies, septic systems, or alternative wastewater systems, and the transportation of such material to a point of final disposal.

2-3.17 SEPTIC TANK (SEPTIC SYSTEM).
The term "septic tank" means an approved water tight structure installed underground to receive sewage from a building sewer, effecting separation and organic decomposition of sewage solids and discharging effluent to an absorption field.

2-3.18 SUBDIVISIONS.
Means any tract of land that is or has been subdivided into two or more lots in accordance with a recorded plat at the Register of Deeds office for the purpose of sale or building development, whether immediate or future, including the streets, alleys or other portions thereof intended to be dedicated for public use; and any re-subdivision of lands or lots.

2-3.19 TRACT.
Means a single unit of real property under one ownership, outside the corporate limits of a city, platted and/or unplatted, title to which is publicly or privately held by an owner.

2-3.20 WELL.
Means an excavation or opening into the ground by which ground water is sought or obtained.

SECTION 2-4.0 PROHIBITED PRACTICES.

2-4.1 USE OF NON-APPROVED WASTEWATER SYSTEMS.
No person shall sell, use, lease or rent for use any septic system, alternative wastewater system, or privy that:

A. Has been constructed after September 28, 1998 until it has been inspected and approved by the Administrative Agency;
B. Has been temporarily or permanently enjoined as a public health nuisance by a court of competent jurisdiction;
C. Fails to comply with the provisions of this sanitation code, and written notice thereof has been given by the Administrative Agency to the owner or responsible person.

2-4.2 DISPOSAL OF SEWAGE.

A. No household, industrial or commercial wastes shall be discharged into any watercourse, impoundment, storm sewer or public thoroughfare. The discharge of sewage into seepage pits, abandoned wells, cisterns, streams or upon the surface of the ground shall be prohibited. In no case shall treated or untreated sewage, or the effluent from a septic tank or onsite sewage

management system be permitted to drain directly or indirectly into a ditch or stream, nor shall it be allowed to surface or run or drain across any adjacent land owner.

B. No household, industrial or commercial wastes shall cause fly breeding, produce offensive odors or any other condition that is prejudicial to health and comfort.

2-4.3 USE OF ALTERNATIVE WASTEWATER SYSTEM, SEPTIC SYSTEM, AND/OR PRIVY WITHIN 400 FEET OF PUBLIC WASTEWATER SYSTEM (SEWER).

No alternative wastewater system, septic system or privy shall be constructed, altered or extended within 400 feet of an existing public sewer, unless the Administrative Agency finds that connection to such a sewer is not feasible and that a wastewater system, meeting the requirements of this code, can be constructed on the property.

2-4.4 LOCATION OF ALTERNATE WASTEWATER SYSTEMS OR SEPTIC SYSTEMS BELOW FULL FLOOD POOL OR WITHIN REGULATORY FLOODWAY.

No portion of an alternative wastewater system or septic system shall be located below the full flood elevation of any federal reservoir or full pool elevations of any pond, lake or water supply reservoir, or within a regulatory floodway.

2-4.5 LOCATION OF AN ALTERNATIVE WASTEWATER SYSTEM, SEPTIC SYSTEM OR PRIVY WITHIN 100 FEET OR MORE OF WELL.

All portions of an alternative wastewater system, septic system or privy shall be located at least 100 feet or more from a water well or a pump suction line from a water well, unless the facility be of water tight construction. No wastewater line regardless of construction shall be located less than 10 feet from a private water well or its attendant suction line or less than 100 feet from a public water supply well.

2-4.6 CONNECTION TO NON-APPROVED PUBLIC WASTEWATER SYSTEM.

No premises shall be permitted to connect to any public wastewater system that does not hold a valid permit from the KDH&E as required in 2-5.2. (Exception-Single family wastewater disposal systems may temporarily serve more than one structure after receiving the approval of the Administrative Agency).

2-4.7 APPROVAL OF PLATS AND/OR TRACTS.

A permit to operate a private onsite waste management system will be issued if the plat(s) or tract(s) contain the ground of suitable size or type of land, and the plans and specifications of onsite sewage management system have been approved by the Administrative Agency. This shall be exclusive of roads, streets, or other public right of way or easements unless a public wastewater system is provided to serve all properties within the subdivision. A bond shall be filed with the County Treasurer to guarantee the installation of such public system.

SECTION 2-5.0 REQUIREMENTS FOR PUBLIC WASTEWATER SYSTEMS.

2-5.1 APPROVAL OF PLANS AND SPECIFICATIONS.

Plans and specifications for all public wastewater systems shall be submitted to and approved by the KDH&E prior to starting any construction of such systems.

2-5.2 PERMIT.

The owner of every public wastewater system shall obtain a permit for operation of the system from KDH&E and no public wastewater system shall be operated or put in operations until the owner has obtained the required permit.

2-5.3 RESPONSIBILITY OF OPERATION.

Responsibility for operation of all public wastewater systems must be vested in a sewer district, improvement district, or similar public agency authorized to operate public wastewater systems.

SECTION 2-6.0 REQUIREMENTS FOR PIRVATE ONSITE SEWAGE MANAGEMENT SYSTEMS.

2-6.1 APPROVAL OF PLANS

After September 28, 1998 no person shall construct or permit to be constructed any private onsite sewage management system until the plans and specifications for such system have been approved by the Administrative Agency

2-6.2 PERMITS REQUIRED

A. No person shall construct or alter any private onsite sewage management system without obtaining construction approval for such purpose from the Administrative Agency. No permit for the construction or alteration of an onsite sewage management system shall be issued until the Administrative Agency has inspected and approved the site and the proposed location and design of the system. No onsite sewage management system constructed or altered may be covered totally or in part until it has been inspected and/or approved by the Administrative Agency at any stage of construction.

B. All applicants will be required to sign an application form to acknowledge the sewage system must be inspected and installed according to the approved plan.

2-6.3 DATA REQUIREMENTS.

2-6.31 RESIDENTIAL.

The following shall be submitted to and accepted by the Administrative Agency before issuance of a permit to construct an onsite sewage management system:

A. A drawing (an 8 1/2" x 11" pencil is recommended), showing the following:
   1. Name, address and phone number of applicant and owner.
   2. Location of building site, including legal description with section, township and range.
   3. Size of house in square feet of finished area, number of bedrooms, and a list of all water using appliances.
   4. A drawing of the lot or size, showing:
      a. Overall dimensions of the lot;
      b. Location of building, driveways and geographical features near the proposed lateral field;
      c. Location and type of water supply, and location of water service lines;
      d. Layout of entire onsite sewage management system; septic tank, laterals and interconnecting lines; and
      e. A cross section of lateral trench, with dimensions.
   5. Foundation, footing or any other non-sewage drain location.
   6. Arrow indicating North direction.

B. Other supportive data or information required by the Administrative Agency.

2-6.32 COMMERCIAL

The following data shall be submitted to and accepted by the Administrative Agency prior to issuance of a permit to construct an onsite sewage management system:

A. Name, address and phone number of applicant and owner;
B. Type of establishment;
C. Location of building site, including legal description with section, township and range; lot or parcel identification;
D. Anticipated water usage and peak daily sewage flow;
E. All water-using equipment or appliances;
F. Copies of a site plan of the entire property under development showing the following:
   1. Overall dimensions of the lot;
   2. Location of buildings, structures, driveways, parking, access roads, loading areas, receptacle locations, buffers, public and private easement, and any other geographical features near the proposed onsite waste management system;
   3. Location and type of water supply, and location of water service lines;
   4. Proposed type, size and location of onsite sewage management system;
   5. Existing and proposed topography;
   6. Proposed drainage.
G. Other supportive data or information required by the Administrative Agency.

H. A letter from the owner or agent for the owner estimating the maximum number or customers, employees, etc., size of building and the specific use of the facilities whether the sanitary facilities are for public use.

2-6.4 SUITABLE SITE.

No site shall be approved if:

A. Connection to an approved public sewage system is feasible or the site violates the provisions of Section 2-4.0 of this code;

B. The soil, topography and geology violate the requirements set forth in Section 2-8.0.

2-6.5 CONSTRUCTION APPROVAL.

All onsite sewage management systems developed or modified after Septermber 28, 1998 must be inspected and/or approved by the Administrative Agency for compliance with the approved plans; and no portion of the system shall be covered or made inaccessible to inspection prior to approval. Administrative Officer will notify permittee and/or their representative at what time they will inspect premise for compliance.

2-6.6 PROPER MAINTENANCE AND OPERATION.

All persons holding a permit for use of an onsite sewage management system and responsible for its operation, shall operate and maintain the system in good working condition. It shall conform with Bulletin 4-2 or any revised bulletin issued by KDH&E and not overload the system so as to produce offensive odors, impair the quality of the effluent, or create any condition hazardous to health. Whenever the Administrative Agency shall find any onsite sewage management system malfunctioning, the owner and/or user shall be ordered to correct the condition.

SECTION 2-7.0 REQUIREMENTS FOR ALTERNATIVE WASTEWATE SYSTEMS.

When soil, topography, and/or geology do not meet the requirements as set forth in Section 2-8.0, alternative sewage disposal methods will be considered by the Administrative Agency based on each individual case.

2-7.1 LAGOONS.

Plans for construction of a single family lagoon shall be submitted to the Administrative Agency for approval and permit. Plans for construction of a lagoon that will serve more than one family must be submitted to KDH&E for approval and permit. Lots must contain no less than three (3) acres of land to be considered for lagoon construction.
See Table A for Pond Design.

2-7.2 OTHER ALTERNATIVES.

Proposals for other alternatives or experimental sewage disposal systems may be submitted to the Administrative Agency for consideration.

2-7.3 REQUIREMENTS FOR PRIVIES.

2-7.31 APPROVAL OF PLANS.
No person shall construct or modify any privy until the plans and specifications for the proposed construction and/or modification have been approved by the Administrative Agency.

2-7.32 APPROVAL OF CONSTRUCTION.
No person shall use or make available for use, any newly constructed or modified privy until the construction has been inspected by the Administrative Agency for compliance with approved plans.

2-7.33 PROPER MAINTENANCE.
No person shall use, or offer for use, any privy that is not maintained in a clean and sanitary condition.

2-7.34 VAULT REQUIRED IN CERTAIN AREAS.
In areas where the elevation of the groundwater is within 10 feet of the top of the ground, a watertight vault shall be provided in lieu of the standard pit.

2-7.35 LOCATION.
A. No pit privy shall be installed less than 100 feet from an existing well.
B. No pit privy shall be constructed or reconstructed on any premise served by a public water supply, or on which water is delivered to any building under pressure, unless special permission for use of a privy is obtained from the Administrative Agency and all homeowners within 500 feet of the privy are notified of the proposed construction.

2-7.36 WATERLESS TOILETS.
With the approval of the Administrative Agency and when meeting specific design requirements, the temporary use of dry or chemical toilets may be allowed in special cases. (i.e. Public events where permanent facilities are not sufficient in number; or while an existing system for a home or business is being repaired, altered or constructed.) All recreational vehicles using waterless toilets must use approved disposal sites.

SECTION 2-8.0 MINIMUM STANDARDS FOR SOIL TOPOGRAPHY AND GEOLOGY.
An onsite sewage system which is dependent upon soil absorption for the disposal of wastewater. Bulletin 4-2 will be used as reference for minimum design and construction standards.

SECTION 2-9.0 SANITARY SERVICES.-*HAULERS*-
All individuals who remove treated domestic wastes, human excreta or other septage from any septic system or alternative wastewater system, including their own, must notify the Administrative Agency before removing the wastes. They shall follow all rules, regulations and requirements of the Kansas Department of Health and Environment and Environmental Protection Agency 503 Rules which address septage management.

2-9.1 SITE.
The disposal site used by the haulers of domestic wastes, human excreta or other septage from any septic system or alternative wastewater system must be approved by the Administrative Agency and comply with all rules, regulations and requirements of the Kansas Department of Health and Environment and Environmental Protection Agency 503 Rules which address septage management.

2-9.2 MINIMUM STANDARDS FOR SANITARY SERVICE VEHICLE.
All sanitary services vehicles used for rendering of sanitary services shall be of water tight construction, maintained in good working condition and provided with hoses, couplings, valves, pumps and other necessary equipment to insure that all material removed from the system will be transported to a point of disposal approved by the Administrative Agency without spillage of the waste onto the road or street. All hoses and valves shall be capped or plugged. All equipment shall be in good workable condition and the operator shall demonstrate that the equipment is in good operating condition and will perform its function without leakage or spillage.

2-10.0 MINIMUM STANDARDS FOR LICENSE APPROVAL OF WASTE-WATER/SEWAGE SYSTEM *INSTALLER.*
Knowledge of Atchison County Environmental/Sanitary Code as indicated by successful completion of a wastewater/sewage system installer license examination administered by the Administrative Agency. Atchison County will recognize the license of wastewater installers from other counties as being valid to operate in Atchison County.

2-.10.1 FEES
The fees shall be established by resolution of the Board of County Commissioners.

2-10.2 CONTRACTING WITH UNLICENSED PERSONS PROHIBITED.
A person responsible for operating an alternative wastewater system, septic system or privy shall not contract, or offer to contract, with any person for sanitary service unless that person holds a valid permit or license to provide such service from the Administrative Agency.

2-10.3 EXCEPTIONS.
If an individual landowner intends to install or alter his/her own wastewater system the Administrative Agency will grant such request without requiring said license based on the installation meeting county sanitary codes and that he/she constructs no more than one system in any one calendar year.

2-11.0 WAIVER OF REQUIREMENTS.
In unusual cases where compliance with the requirements of Chapter 2 of this code is not feasible, the Administrative Agency shall have the authority to waive the requirements provided the agency is furnished with reliable information to show that such waiver does

not and will not impair the potability of the groundwater or otherwise endanger the health and safety of the individuals involved and/or the general public.