

2004 SESSION

INTRODUCED

044020520

HOUSE BILL NO. 930

Offered January 14, 2004

Prefiled January 14, 2004

A BILL to amend and reenact § 32.1-164.1:1 of the Code of Virginia, relating to the validity of certain septic tank permits.

Patron—Suit

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-164.1:1 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-164.1:1. Validity of certain septic tank permits.

A. Any septic tank permit issued shall be valid for a period of eighteen months from the date of issuance unless there has been a substantial, intervening change in the soil or site conditions where the septic system is to be located. However, if a building permit has been obtained or building construction has commenced, the permit may be extended for an additional eighteen months. Applicants shall be informed of the septic tank permit validity period and advised to apply only when ready to begin construction.

B. Further, whenever any septic tank is failing and repair is required to remedy such failure, the Board of Health's regulatory standards and requirements in effect at the time such septic tank was issued shall be applied to determine the extent of such repairs. No new application for a septic tank permit or the installation of a new septic tank pursuant to the most recent Board regulations shall be required.

C. Whenever any septic tank repair is grandfathered under previous regulatory standards and requirements pursuant to subsection B and the property on which such repaired septic tank is located is transferred or sold, the property owner shall disclose in writing to any and all potential purchasers or mortgage holders that the septic tank was not repaired in accordance with the regulations in effect at the time of the repair and may require replacement.

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HB930