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## Septic System for Municipalities

### Sec. 8-423-1. Definitions

The following definitions apply to Sections 8-423-1 through 8-423-7 of the regulations of Connecticut State Agencies:

- (a) “Commissioner” means the Commissioner of Housing.
  - (b) “Department” means the Department of Housing.
  - (c) “Municipality” means any city, town or borough.
  - (d) “Eligible Homeowner” means any owner of a residential structure in which the subsurface sewage disposal system is faulty and has been determined to have been installed pursuant to improper municipal approvals.
  - (e) “Repair or Reconstruction” means any activities to bring a subsurface sewage disposal system into compliance with local public health codes.
- (Effective April 19, 1991)

### Sec. 8-423-2. Program description

(a) The Commissioner may enter into a contract for financial assistance in the form of a loan with a municipality which in turn shall use such loan to make grants to homeowners for costs incurred in the repair or reconstruction of faulty residential subsurface sewage disposal systems which were installed pursuant to improper municipal approvals.

(b) Eligible costs under this program include technical and installation expenses, and stabilization of top soil. Landscaping costs are not eligible under this program.

(c) The Commissioner may for good cause shown, if he deems it in the best interest of the state, waive any non-statutory requirement imposed by these regulations.

(d) Municipalities and eligible homeowners shall be required to comply with all rules and orders promulgated from time to time by the Commissioner and consistent with the Connecticut General Statutes and these regulations for this program.

(Effective April 19, 1991)

### Sec. 8-423-3. Application/approval process—municipalities

(a) The Commissioner may solicit and/or accept applications for financial assistance from eligible municipalities.

(b) A municipality shall include in its application, a list of homeowners to be served by the financial assistance, together with copies of all submissions made by the homeowner to the municipality.

(c) Applications shall be approved or disapproved based on the eligibility of the proposed activities and the availability of financial assistance. All approvals are subject to funding by the State Bond Commission.

(d) If an application is disapproved, the municipality shall be notified in writing of the reason(s) for the disapproval.

(e) If an application is approved, the Commissioner shall notify the municipality in writing.

(f) Following approval by the State Bond Commission pursuant to the provisions of Section 3-20 of the Connecticut General Statutes, the state, acting by and through the Commissioner, may enter into a contract with an eligible municipality for financial assistance in the form of a loan.

(g) Such contract shall include, but not be limited to, the amount of the loan to be provided, the term of the contract and the rights and obligations of the parties under the contract.

(h) The term of a loan shall be for a period not to exceed fifteen years. The interest rate for loans shall be determined in accordance with Connecticut General Statutes Section 3-20 (t).

(i) The municipality shall be required to immediately repay to the State, the loan plus any accrued interest, if all of part of the loan is used for purposes other than eligible repair or reconstruction of faulty subsurface sewage disposal systems installed pursuant to improper municipal approvals.

(Effective April 19, 1991)

**Sec. 8-423-4. Application/approval process—eligible homeowners**

(a) Eligible Homeowners shall make application for financial assistance to the municipality in which the faulty residential subsurface sewage disposal system is located.

(b) As part of said application, eligible homeowners shall be required to furnish proof of the following:

(1) Certification from the district or local director of health that the repair or reconstruction is required pursuant to the public health code and is feasible and that the cost is consistent with the cost of similar repairs or reconstructions in the district or municipality;

(2) Evidence that the system was installed pursuant to improper municipal approvals; and

(3) Two itemized estimates of the cost prepared by subsurface sewage disposal system installers licensed under Section 20-341f of the General Statutes or by registered professional engineers. The grant, if approved, shall not exceed the lower of the two estimates.

(c) Applications shall be approved or disapproved based upon the eligibility of the proposed activity and the availability of financial assistance from the State. Any municipal approval shall be contingent upon the provision of funding by the Commissioner to the municipality.

(d) If a grant application is disapproved the applicant shall be notified in writing of the reason(s) for the disapproval.

(e) If a grant application is approved, the municipality shall notify the applicant in writing.

(f) The municipality and the eligible homeowner shall enter a written agreement, which shall set forth the amount of the grant, the scope of the work to be performed and the rights and obligations of the parties.

(g) Any amount of the grant not used for the repair or reconstruction of the faulty subsurface sewage disposal system shall immediately be returned to the municipality.

(h) The eligible homeowner shall, prior to receipt of any grant funds, assign to the municipality any claims against any party for the improper installation of the faulty subsurface sewage disposal system.

(Effective April 19, 1991)

**Sec. 8-423-5. Inspections**

In addition to any state or local health department inspections, the subject property may be inspected by the Commissioner or his representative before, during and after the repairs or reconstruction work is performed to ensure that the work is in accordance with the public health code and is at a cost consistent with the grant amount.

(Effective April 19, 1991)

**Sec. 8-423-6. Reporting and access to records**

(a) Municipalities shall maintain complete and accurate books and records in accordance with the latest procedures approved by the Commissioner.

(b) Municipalities shall furnish the Commissioner with financial statements and other reports relating to the repair and reconstruction of the subsurface sewage systems, as well as the eligible homeowners being served, in such detail and at such times as he may require.

(Effective April 19, 1991)

**Sec. 8-423-7. Fiscal compliance and examination**

Municipalities receiving financial assistance shall be subject to examination of all books and records. Examinations shall be performed by independent public accountants registered to practice in the State of Connecticut, or by qualified Department personnel. All examinations shall be performed in accordance with procedures established by the Department.

(Effective April 19, 1991)