

COUNTY COMMISSION ORDER NUMBER: 2024-06-18

IN THE COUNTY COMMISSION OF CALDWELL COUNTY, MISSOURI

AN ORDER AMENDING SECTION IV OF THE CALDWELL COUNTY ZONING ORDINANCE TO REGULATE DRAINAGE, SANITATION AND WATER SUPPLY.

WHEREAS, the Caldwell County Planning and Zoning Board proposed an amendment to Section 4.14 of the Caldwell County Zoning Ordinance to regulate Individual Sewage Systems, as the Board considered such an amendment to be in the best interest of the citizens of Caldwell County, Missouri.

WHEREAS, notice was published in the Caldwell County News on May 22nd 2024 setting forth of a public meeting of the Caldwell County Planning and Zoning Board to be held on June 13th 2024 to discuss and consider approval or denial of a recommendation to the Caldwell County Commission to adopt such an Ordinance; and

WHEREAS, a public hearing was held before the Caldwell County Planning and Zoning Board on June 13th 2024 regarding said Ordinance; and

WHEREAS; the Caldwell County Planning and Zoning Board, with a quorum present voted in favor and recommended that the Caldwell County approve and adopt the proposed amendment at Section 4.14 and the Caldwell County Zoning Ordinance; and

WHEREAS; the Caldwell County Commission find that it is the best interest of the citizens of Caldwell County to adopt the proposed Amendment to Section 4.14 of the Caldwell County Zoning Ordinance as recommended by the Caldwell County Planning and Zoning Board.

NOW, THEREFORE, it is hereby ordered by the Caldwell County Commission as follows:

Section 1. APPROVAL OF THE AMENDMENT. The Commission hereby amends Section IV of the Caldwell County Zoning Ordinance in accordance with the language approved and recommended by the Caldwell County Planning and Zoning Board after public notice and public hearing such that Section 4.14 of the Caldwell County Zoning Ordinance shall read as follows:

Caldwell County Zoning Ordinance;

Section IV
DRAINAGE, SANITATION AND WATER SUPPLY

4.14. Drainage, Sanitation and Water Supply:

1. No building intended for human use for occupancy shall be erected, structurally altered, or relocated on land which is not adequately drained at all times by reasons of adverse soil conditions, steep slopes, shallow impermeable bedrock, periodic flooding, or where the lowest floor level is less than four (4) feet above the highest groundwater level.
2. No building intended for human use for occupancy shall be erected, structurally altered, or relocated to or on a lot, unless provision is made for safe, adequate facilities for water supply and sewage

disposal. Sewage disposal systems of 3000 gallons per day or less shall meet the then current standards and regulations of the Missouri Department of Health and Senior Services as set forth in the booklet, "Missouri Laws Accompanied by Department of Health and Senior Services Rules Governing Onsite Wastewater Treatment Systems," most recently revised April 2023, or its successor with similar provisions, unless more stringent provisions are contained in this ordinance. All systems greater than 3000 gallons per day shall be permitted by the Department of Natural Resources (DNR), with an approval notice provided to the Planning and Zoning Administrator.

3. The county zoning administrator shall not hereafter authorize a building to be erected, structurally altered, or relocated to or on a lot unless the plans for the wastewater disposal system have been approved in accordance with the provisions of this ordinance.

4. Any construction, installation or modification of an individual sewage treatment system shall require the property owner or agent to obtain a permit from the Caldwell County Zoning Administrator before construction can begin. See Section XIX for the applicable fees.

5. All new or modified systems using a leach field shall be preceded by an appropriately sized septic tank, sized to state statute and regulations. All proposed leach field systems shall require a "Perc" test to determine if the soil morphology will accommodate the leach field.

6. Any residence or business on a lot consisting of less than three acres may be required to have an engineered system. All lots sized 10 acres or less shall have an appropriately sized septic tank, sized to state statute and regulations, followed by either a leach field or lagoon.

7. If an existing sewage system is creating a public health hazard, as determined by the County Health Department, and is not in compliance with this ordinance, corrective action by the owner must be taken to bring the system into compliance. Inspectors shall have the right to enter private property, with proper notice, to make an appropriate determination.

8. Planned Unit Developments (PUDs) and systems with wastewater flows greater than 3000 gallons per day shall meet the requirements of the State of Missouri Department of Natural Resources (DNR) and comply with Missouri Clean Water Laws and Regulations.

The Amendment to Section 4.14 dated June 13th 2024 was approved by the following;

Section 2. EFFECTIVE DATE. This Order shall be effective immediately upon passage.

Done this 13th day of JUNE, 2024

Martin Stevens
Zoning Board Chair

[Signature]
Presiding Commissioner

Jammy Aubrey
ATTEST: County Clerk

