

POINT OF SALE REQUIREMENT

Who may perform the Point of Sale inspections?

Any state registered Designer I or Inspector can perform this inspection.

A list of Licensed Designer I / Inspectors may be obtained from your local Environmental Services Department or www.pca.state.mn.us

If my system is failing, how do I transfer my property?

To transfer the property you must:

1. Replace your subsurface sewage treatment system prior to transfer, **or**
2. File a Transfer Agreement with the St. Louis County Environmental Services Department, and replace the system within a specified period of time.

Where can I go if I need additional information?

Contact one of the St. Louis County Environmental Services offices listed below:

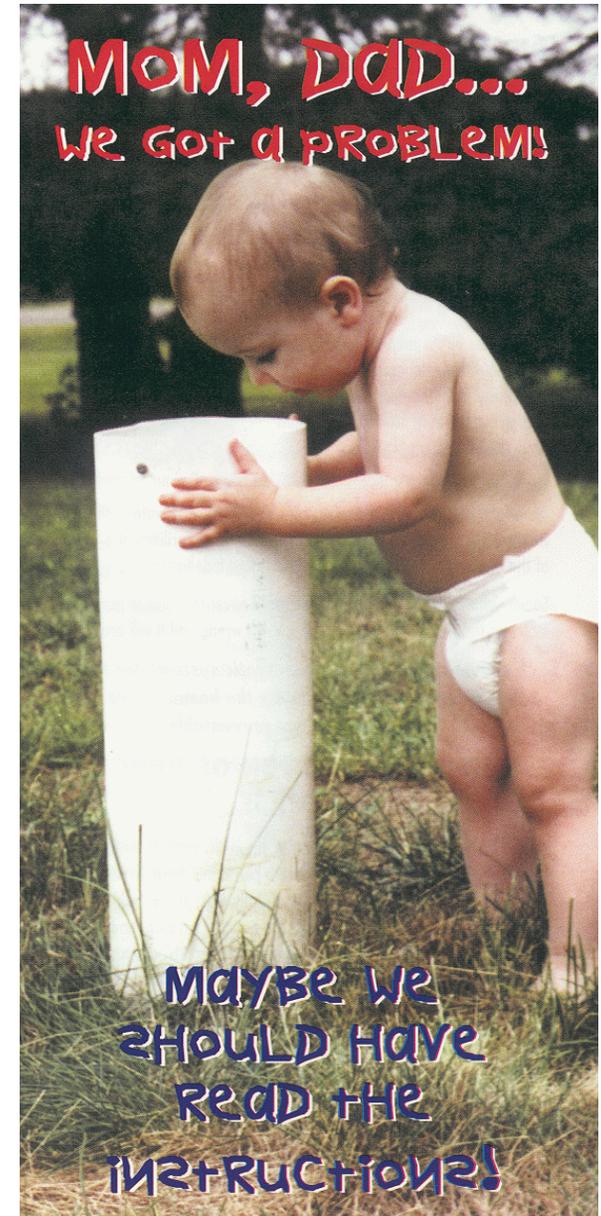
Duluth

325 West First Street, Suite 300
Duluth, MN 55802
(218) 725-5274

Virginia

Northland Office Center
307 First Street South, Suite 115
Virginia, MN 55792
(218) 749-0625

Or
1-800-450-9278



6/09

Photo by permission of Septic Protector

Why a Point of Sale requirement?

St. Louis County Ordinance 55 was adopted to protect the health of its citizens and the environment. The time of property transfer is a logical point at which to verify system status.

Point of Sale requirement as of August 1, 2001

St. Louis County Ordinance 55 requires that a property cannot be transferred as of August 1, 2001, unless one of the following conditions exist:

1. The seller discloses to the buyer in a sworn affidavit that there is not a subsurface sewage treatment system on the property, **or**
2. The seller discloses that there is a subsurface sewage treatment system with a Certificate of Compliance or Notice of Non-Conformity, **or**
3. A Notice of Failure (a transfer agreement specifying replacement must be included if this is a Failure), **or**
4. In the case of a winter sale, the seller and the buyer file a Transfer Agreement with St. Louis County Environmental Services Department. This will allow a delay in the inspection, however one will still be required when conditions allow (before June 1).

Failure to comply:

Failure to comply with the Point of Sale requirement is a violation of Ordinance 55 and a misdemeanor.

When do I need to have my subsurface sewage treatment system inspected?

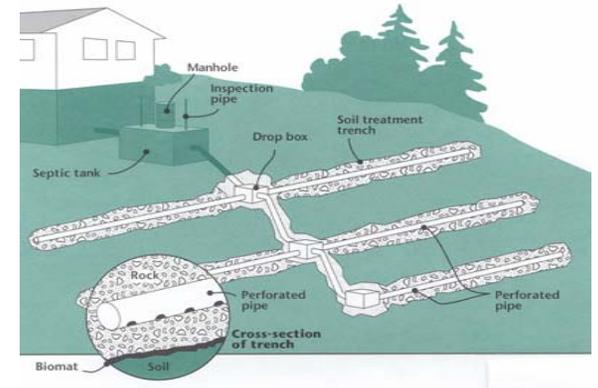
If you are thinking about selling your home and you do not have a valid Certificate of Compliance, you may wish to start the process of obtaining one now. Contact a state certified designer or inspector to request an inspection.

Ordinance 55 requires a Compliance Inspection or transfer agreement prior to the transfer of your property. The Designer I / Inspector has up to 30 days after the inspection to issue their findings.

All systems installed in the last 5 years should have a Certificate of Compliance on file with St. Louis County Environmental Services Department.

If your existing system is inspected and deemed compliant by a State Certified Designer I Inspector, your system will receive a new Certificate of Compliance from the St. Louis County Environmental Services office that will be valid for 3 years. Within that 3-year period you can transfer your property without a new inspection.

If your existing system is inspected and is found to be failing, it must be replaced prior to property transfer or within a specified time period. Acting early will give you time to make necessary corrections before the sale or transfer.



Septic systems can be designed in a variety of ways, pictured above is a typical trench system.

Will my septic system need to be replaced?

Only systems defined as “failing” or “an imminent threat to public health” must be replaced. The following systems will need to be replaced:

- Any system with less than one vertical foot of separation from the bottom of the treatment system to the water table or bedrock.
- A system that is discharging to the ground surface, surface water or ground water source (imminent public health threat).
- A system that is backing-up into a building.