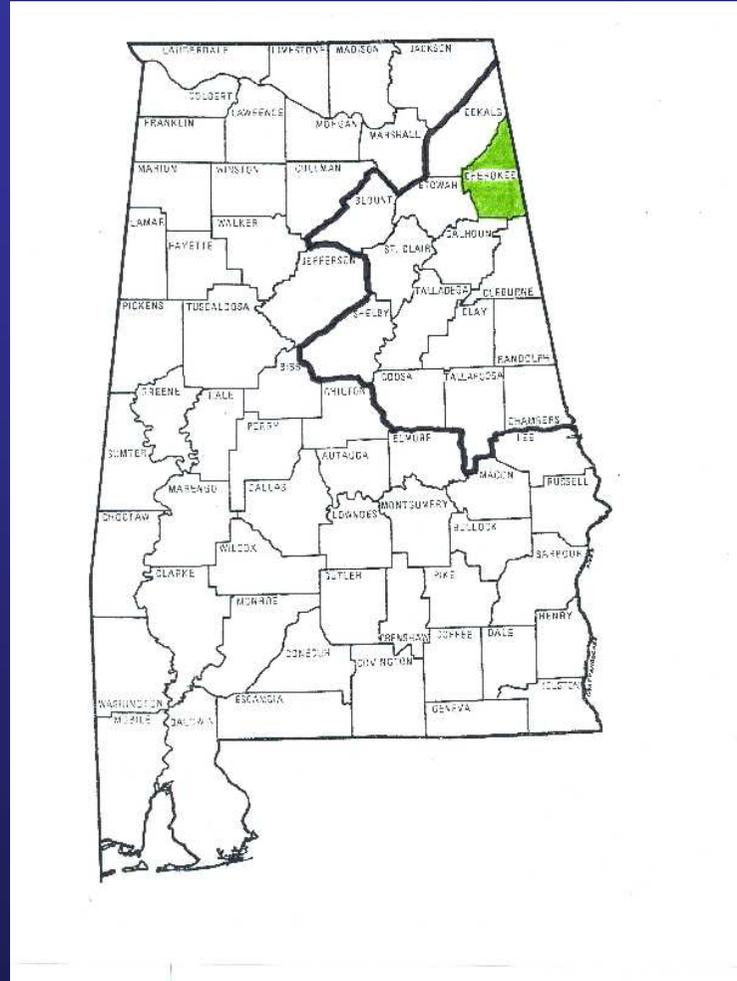


THE WEISS LAKE SEWAGE HOLDING TANK REGULATORY PROGRAM



Where is Weiss Lake ?



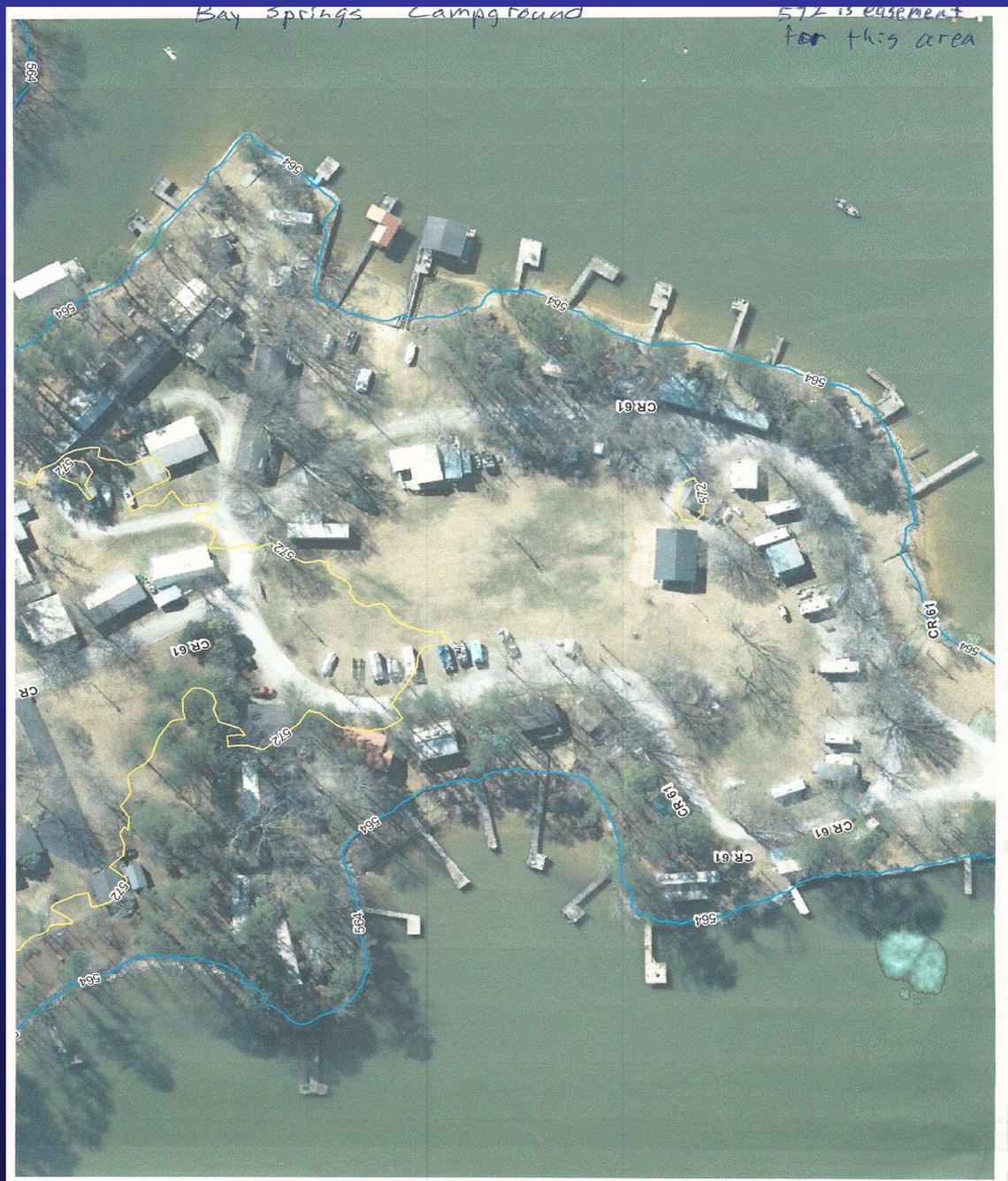
Weiss Lake lies completely within
Cherokee County in Northeast Alabama

Weiss Lake

- A Water Storage Reservoir for Alabama Power Company (30,200 Acres)
 - 450 Miles of Shoreline
 - A Water Storage or Flood Easement Elevation Exists Around the Lake
- Low Relief Means Property Up to a Mile from Shore Can Be Flooded for Water Storage
- Alabama Power Regulations Limit Structures to RVs on Wheels – Must Not Inhibit Water Storage Capacity
- High Value Homes On These Shorelines Impractical
- “Recreational Lot” Created in 1970s
 - Followed by the Ubiquitous RV
- 1991 Survey Estimated ^ 1,700 RV/Structures
- Now Estimate > 4,000 RV/Structures IN Flood Easement

Weiss
Lake

500,000
visitors/year



Weiss Lake Visitors include Thousands of RV Users



Weiss Lake: Except These Aren't Your KOA Campground RVs!



- You have RVs On Individually Owned Lots
- You have RVs On Individually Leased Lots
- You have RVs in Recreational Campgrounds



A Weiss Lake RV in the HIGH Rent District!

A Few Are Even Built in Place!



All Within Alabama Power Company's Water Storage Easement of Weiss Lake
Where No Septic System Can Be Installed

An Unapproved “Soak” Holding Tank Agricultural Tank Previously in Use Before the Holding Tank Regulatory Program



With Xray Vision, You Could See the Holes in the Bottom of This Tank

Unapproved RV Holding Tank “with Relief” In use before the Holding Tank Regulatory Program



“I’m gonna wait till the midnight hour” and guess what is poured out?

The Cherokee County Commission Sewage Disposal Ordinance

- Adopted April 2012
 - Under authority of the Alabama Legislature's Self Governance Act
- Goal: Protect Public Health by Protecting the Water Quality of Weiss Lake
- Declares Improper or Illegal Disposal of Sewage to be a Public Nuisance Menacing Public Health

The Cherokee County Commission Sewage Disposal Ordinance

- Ordinance applies only in unincorporated areas – not in cities and towns
- Applies Only to Areas within the Water Storage Easement Elevations of Alabama Power Company for Weiss Lake
- Empowers County Health Department to Perform Ordinance Enforcement Activities
- Empowers County Health Department to Enter Upon Premises

The Cherokee County Commission Sewage Disposal Ordinance

- County Health Department Shall Issue and Post a Notice When Improper Sewage Treatment or Disposal is Discovered
- Size and Type of Notice Specified
- Wording of Notice and 30-Day Period is Specified
- Requires Violator to Cease and Apply for a Sewage System (ie, Approved Holding Tank)

The Cherokee County Commission Sewage Disposal Ordinance

CITATIONS

- Second Violation After 30 Day Notice Expires Leads to Issuance of Citation and Payment of Fines and Administrative Fees to the County Commission
- \$150 Per Day Fine (Maximum \$5,000)
- Administrative Fee Equal to Cost of Abatement May Be Assessed
- Appeal of Citation to the County Commission

The Cherokee County Board of Health Sewage Holding Tank Regulation

- Obtained Variance from State Health Officer for all RV Holding Tanks in Lake Easement
- Requires all RVs and Habitable Structures in Easement to Apply for Permit and to Install Approved Holding Tank
- Holding Tank Must Be Manufactured for Use as Sewage Tank
- Minimum Holding Tank Size is 250 gallons
- Must Contract with Sewage Tank Pumper to Pump at Frequency Needed for that Tank
- Each Holding Tank Must Be Inspected and Approved by County Health Department

Issuing a Notice of Violation



Over 1,700 NOVs Issued Since July 2012

LAKE WEISS SEWAGE ORDINANCE IMPORTANT INFORMATION

In an ordinance passed by the Cherokee County Commission, effective July 9, 2012, the Cherokee County Health Department will require **ALL DWELLINGS** such as, but not limited to, houses, trailers, structures, RVs and campers located within the Alabama Power Company flood easement around Lake Weiss that do not have access to private or public sewer to obtain a permit for the use of a sewage holding tank **REGARDLESS OF HOW OFTEN THE DWELLING OR IMMOBILIZED RV IS USED.**

All dwellings within the flood easement will be issued a Notice of Violation. The notice(s) will be posted on each dwelling/violation (including portable toilets). A copy of the notice(s), along with the necessary forms and information, will then be sent certified mail to the property owner's address listed with Cherokee County Revenue Commission.

All holding tanks, **BOTH NEW AND EXISTING**, will be inspected by the Health Department before permits are issued. **ONLY HOLDING TANKS THAT ARE DESIGNED AND MANUFACTURED SPECIFICALLY FOR THE PURPOSE OF HOLDING SEWAGE WILL BE PERMITTED-NO EXCEPTIONS.** Holding tanks cannot be shared among multiple campers, even if on the same property.

Any additional structure or portion thereof that can be used as sleeping quarters and/or contains any plumbing fixture, including but not limited to, sinks or showers must also have a permitted holding tank. **THE DISCHARGE OF GRAYWATER ONTO THE GROUND REMAINS ILLEGAL AND MUST BE TREATED AS SEWAGE.**

Applicants must submit to the Health Department, both a permit application form and the standardized sewage pumping agreement form, completed. The **Delta Property Identification Number (P.I.N.)** is essential in any correspondence with the Health Department and must be included on the application. This number can be found written on the notice of violation or the property's tax invoice.

Only septic service providers licensed with the Cherokee County Health Department are allowed to pump and transport sewage.

Only RVs or campers that are continually transitory are exempt from the ordinance and may use approved sewage dump stations.

A permitted holding tank is required for as long as there is no access to a sanitary sewer system. If a public or private sewerage system is available, the owner must connect to that system.

The fee for the initial permit is \$150.00 and must be renewed annually with a fee of \$100.00. Applications for holding tank permits are submitted to the Cherokee County Health Department located at 833 Cedar Bluff Road, Centre, Alabama, 35960, between the hours of 9:00a.m.-11:00a.m. and 1:00p.m.-3:00p.m. (CST), Monday through Friday.

Failure to comply with the ordinance will result in civil penalties. A complete copy of the ordinance and applicable rules can be obtained at www.cdph.org.



STATE OF ALABAMA
DEPARTMENT OF PUBLIC HEALTH
CHEROKEE COUNTY COMMISSION



NOTICE OF VIOLATION

NOTICE TO THE OWNER, [REDACTED]
AND ALL PERSONS INTERESTED IN THE ATTACHED PROPERTY.

Parcel 140 307 000 000 1000

Sewage at this property located at, Delta Pin 19790 07-105-09E, is being improperly or illegally stored, treated and/or disposed of resulting in a public nuisance in violation of Section 4 of the Cherokee Ordinance No. 2012-02. The improper and illegal storage, treatment and/or disposal of sewage shall immediately cease and the owner of said property shall within (30) days from the date of this notice abate such nuisance by contacting the Cherokee County Health Department to make application for a sewage disposal system that complies with the requirements of the rules of the State Board of Health and/or Cherokee County Board of Health. If the illegal and/or improper treatment and/or disposal of sewage does not immediately cease and if application is not made to the Cherokee County Health Department within (30) days from the date of this notice, a citation for violation of said ordinance shall be issued to the owner of this property who shall be subject to fines and to the administrative fees equal to any costs incurred by Cherokee County in the event the county takes action to abate said sewage nuisance. Any questions regarding this notice should be directed to the enforcement officers at the Cherokee County Health Department, 833 Cedar Bluff Road, Centre, Alabama, (256) 927-7322.

Lot # 37 yellow structure/grey trim with covered porch.

Issued By:

Kenny M. Pruett
Enforcement Officer (Print Name)

7/19/13
Date

Kenny M. Pruett
Signature

Owner Mailing Address 2520 Co. Rd. 61
City Centre State AL Zip 35960

Issuing an Approval for a Holding Tank



Over 1,000 Issued to Date

Approved Holding Tank



Before & After I: Approved Holding Tank Replaces Substandard Holding Tank



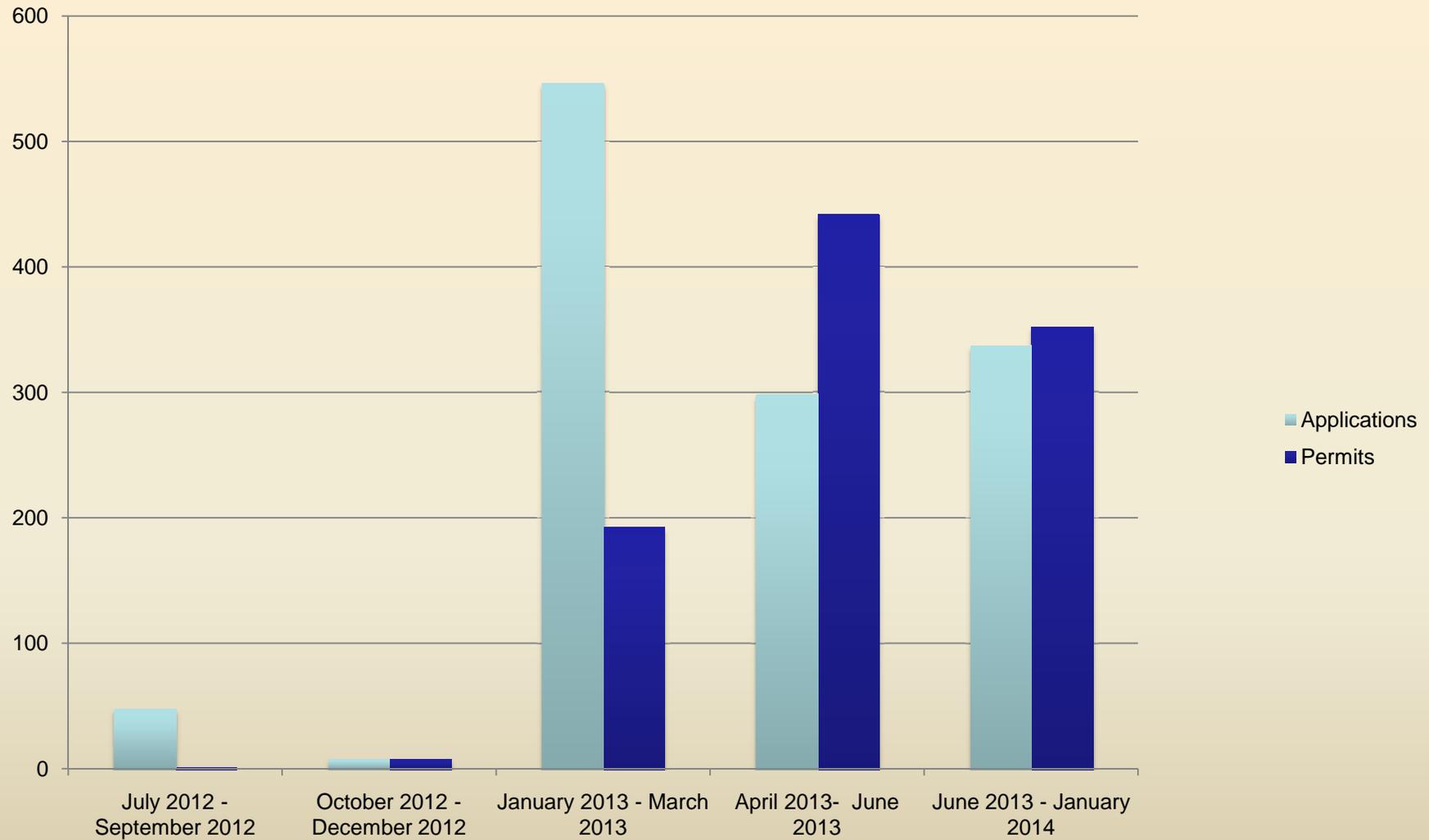
Before & After II: Approved Holding Tank Replaces Substandard Holding Tank (Used Acid Tank)



Approved Holding Tank with Chained Tie Downs



Holding Tank Applications Received and Permits Issued



Program Staffing HIGHS and Lows

- 2013 HIGH
- Environmental 3.00
- Clerical 2.00
- Total Peak Staffing 5.00

- 2014 LOW
- Environmental 0.45
- Clerical 0.95
- Total Current Staffing 1.40

Where Are We?

- Estimate 2,000 RVs in County Jurisdiction
 - Estimate 2,000 RVs in City Jurisdictions not covered by Ordinance
- Issued > 1,000 Permits/Approvals
 - Issued > 400 Renewals Since 1/1/2014
- Four Citations Issued out of > 1,700 Notices of Violation Issued in 2013
 - Preparing Additional Citations for Violations
- Renewing RV Annual Permits & Issuing New/First Time Permits vs NOV's without permit & not cited to date

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Alabama Dept of Public Health
Areas Supervisor
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