

1 H.144

2 Introduced by Representative Austin of Colchester

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; wastewater systems; inspection

6 Statement of purpose of bill as introduced: This bill proposes to require the
7 seller of real property served by a wastewater system to provide the buyer with
8 a certificate of inspection issued within two years prior to the conveyance.

9 An act relating to requiring inspection of wastewater systems

10 It is hereby enacted by the General Assembly of the State of Vermont:

11 Sec. 1. 10 V.S.A. § 1973 is amended to read:

12 § 1973. PERMITS

13 (a) Except as provided in this section and sections 1974 and 1978 of this
14 title, a person shall obtain a permit from the Secretary before:

15 * * *

16 (3) constructing, replacing, or modifying a potable water supply or
17 wastewater system;

18 * * *

19 (e) No permit issued by the Secretary shall be valid for a substantially
20 completed potable water supply and wastewater system until the Secretary

1 receives a statement from an installer or a licensed designer certifying that, in
2 the exercise of his or her reasonable professional judgment, the installation-
3 related information submitted is true and correct and the potable water supply
4 and wastewater system:

5 (1) were installed in accordance with:

6 (A) the permitted design and all permit conditions; or

7 (B) record drawings and such record drawings are in compliance with
8 the applicable rules, were filed with the Secretary, and are in accordance with
9 all other permit conditions;

10 (2) were inspected;

11 (3) were properly tested; and

12 (4) have successfully met those performance tests.

13 * * *

14 (h) All permits required under this section, all design and installation
15 certifications required under this section, all inspection certifications required
16 under this section, and all documents required by the rules adopted under this
17 chapter to be filed in the town records shall be properly indexed and recorded
18 in the land records pursuant to 24 V.S.A. §§ 1154 and 1161.

19 * * *

20 (k) Prior to conveyance of real property served by a wastewater system, the
21 seller of the property shall provide the buyer with a certificate of inspection of

1 the wastewater system conducted within two years prior to the conveyance.
2 An inspection shall be conducted by a licensed designer who shall certify the
3 functionality of the wastewater system, evaluate the system for compliance
4 with the requirements of this chapter and rules adopted under this chapter, and
5 identify any maintenance or repair needs for the system. The licensed designer
6 shall file a certificate of inspection with the Secretary and shall file a copy of
7 the certificate of inspection in the lands records of the town where the
8 wastewater system is located.

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2021.