

# Resolution 2024-01

## of the Technical Review Panel for Residential On-site Sewage Systems

**WHEREAS**, Indiana Code 16-19-3-27.5 establishes the Technical Review Panel for residential on-site sewage systems (TRP);

**WHEREAS**, Indiana Code 16-19-3-27.8 requires all local residential on-site sewage systems ordinances that vary from the Indiana Department of Health rule 410 IAC 6-8.3 (IDOH rule) to be approved by the TRP;

**WHEREAS**, one of the goals of the TRP is to ensure that residential on-site sewage system regulation is more uniform throughout the State;

**WHEREAS**, the TRP desires the assistance of the Indiana Department of Health Environmental Public Health Division (IDOH) to review local ordinances prior to submission to TRP for review;

**NOW THEREFORE BE IT RESOLVED:** that the TRP authorizes IDOH to review and assess the local ordinances submitted for TRP approval as described in this Resolution.

**BE IT FURTHER RESOLVED:** To be presented to the TRP for formal review, the local ordinance and supporting documentation must:

1. Identify what parts of the ordinance are stricter than the IDOH rule.
2. Provide a justification and fiscal impact analysis for all parts of the ordinance that vary from the IDOH rule.
3. Be limited to the topics addressed in the document titled *Recommended Ordinance Sections* which is prepared by IDOH, which is adopted by the TRP as part of this Resolution.
4. Be approved by the appropriate local body.

IDOH is authorized to reject ordinances on behalf of the TRP if the ordinances do not meet the standards in this Resolution. IDOH must present information on any formal rejections to the TRP to explain the reason for rejection.

IDOH may present updates to the *Recommended Ordinance Sections* to the TRP for approval as either IDOH or the TRP finds appropriate.

The TRP encourages local health departments to work with IDOH prior to presentation to the appropriate local body for adoption to assess the ordinance in accordance with this resolution

to help ensure any locally approved ordinances meet the requirements for formal presentation to the TRP.

**BE IT FURTHER RESOLVED:** IDOH will, at least 2 weeks prior to TPR meetings, post all ordinances to be reviewed by the TRP on the IDOH website.

**So approved,** this 23<sup>rd</sup> day of February 2024:

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Kelly MacKinnon, JD  
Technical Review Panel Chair  
Indiana Department of Health