

Sanitary Restriction/Certificate of Approval

Idaho Code 50-1326 requires that subdivisions shall be recorded with a statement of sanitary restriction on the face of the plat, except that the sanitary restriction may be omitted from the face of the plat where sanitary restrictions have been satisfied, and there has been recorded a certificate of approval. Where particular land has been properly serviced by individual or public utilities, a Certificate of Approval may be issued by the Director of DEQ (or HD designee). The Certificate of Approval may be issued for the subdivision or any portion thereof. If sanitary restrictions have only been satisfied for a portion of the subdivision, a combined statement will be utilized. The appropriate plat statement shall be selected from the following seven examples:

EXAMPLE #1 SANITARY RESTRICTION IN FORCE

When the subdivision will be recorded without provisions of either individual subsurface sewage or public utilities being certified (i.e., sanitary restrictions will remain in force), use the following statement. *(Some county ordinances do not allow the recording of subdivision plats with sanitary restrictions not satisfied.)*

SANITARY RESTRICTION

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, are in force. No owner shall construct any building, dwelling or shelter which necessitates the supplying of water or sewage facilities for persons using such premises until sanitary restriction requirements are satisfied.

Date: _____ Health District Signature: _____

EXAMPLE #2 SPLIT PLAT

When the subdivision will be recorded with only a portion of the land having sanitary restrictions satisfied, use this example:

SANITARY RESTRICTION/CERTIFICATE OF APPROVAL

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, are in force for lots _____. No owner shall construct any building, dwelling or shelter which necessitates the supplying of water or sewage facilities for persons using such premises until sanitary restriction requirements are satisfied.

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied for lots _____. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Date: _____ Health District Signature: _____

EXAMPLE #3 CERTIFICATE OF APPROVAL
(Individual wells and subsurface sewage)

The use of the following Certificate of Approval is for subdivisions with approved individual wells and subsurface sewage disposal systems. This is to be used by the PHDs to lift sanitary restrictions after all requirements are met for each lot and every lot shown on the final plat:

<p>CERTIFICATE OF APPROVAL</p> <p>Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.</p> <p>Date: _____ Health District Signature: _____</p>

EXAMPLE #4 CERTIFICATE OF APPROVAL
(DEQ review/no utilities installed)

The use of the following Certificate of Approval is for subdivisions with community water or sewer systems (or both). This certificate is to be utilized when DEQ has reviewed and approved the plans and specifications, but the utilities are not installed at the time the plat is recorded:

<p>CERTIFICATE OF APPROVAL</p> <p>Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied based on the DEQ approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water or sewer/septic facilities were constructed. Building construction can be allowed with appropriate building permits if drinking water or sewer facilities have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities or meet the other conditions of DEQ, then sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.</p> <p>Date: _____ Health District Signature: _____</p>

EXAMPLE #5 CERTIFICATE OF APPROVAL
(QLPE review/no utilities installed)

Use the following statement when releasing sanitary restrictions where the Qualified Licensed Professional Engineer (QLPE) reviews and certifies the proposed sanitary sewer extensions are without lift pumps, and the water main extensions are without booster pumps, and storm drain lines with only extensions and the utilities are not installed at the time the plat is recorded:

<p>CERTIFICATE OF APPROVAL</p> <p>Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing (<i>insert name of the qualified review entity</i>) and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water extensions or sewer extensions were constructed. Building construction can be allowed with appropriate building permits if drinking water extensions or sewer extensions have since been constructed or if the developer is simultaneously constructing those facilities. If the developer fails to construct facilities, then sanitary restrictions may be re-imposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval, and no construction of any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.</p> <p>Date: _____ Health District Signature: _____</p>

EXAMPLE #6 CERTIFICATE OF APPROVAL
(DEQ review/utilities installed)

The use of the following Certificate of Approval is for subdivisions with community water or sewer systems (or both). This certificate is to be utilized when DEQ has reviewed and approved the plans and specifications the utilities have been installed prior to the plat being recorded:

<p>CERTIFICATE OF APPROVAL</p> <p>Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied based on DEQ review and approval for the design plans and specifications and the conditions imposed on the developer for continued satisfaction of sanitary restrictions. Water and sewer line have been completed and services certified as available. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.</p> <p>Date: _____ Health District Signature: _____</p>
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EXAMPLE #7 CERTIFICATE OF APPROVAL
(QLPE review/utilities installed)

Use the following statement when releasing sanitary restrictions where the Qualified Licensed Professional Engineer (QLPE) reviews and certifies the sanitary sewer extensions are without lift pumps, and the water main extensions are without booster pumps, and the utilities have been installed prior to the plat being recorded.

CERTIFICATE OF APPROVAL

Sanitary restrictions as required by Idaho Code, Title 50, Chapter 13, have been satisfied based on a review by a Qualified Licensed Professional Engineer (QLPE) representing (*insert name of the qualified review entity*) and the QLPE approval of the design plans and specifications and the conditions imposed on the developer for continued satisfaction of the sanitary restrictions. Water and sewer line have been completed and services certified as available. Sanitary restrictions may be reimposed, in accordance with Section 50-1326, Idaho Code, by the issuance of a certificate of disapproval.

Date: _____ Health District Signature: _____