

# Property in Lancaster County with Private Water, Wastewater Systems Must be Inspected When Sold

---

**By John Chess**

*Lincoln-Lancaster County  
Health Department*

---

Effective May 29, 2006, Lancaster County Resolution R-06-0005 and Lincoln Municipal Code 24.42 requires prior to the sale, transfer or conveyance of property upon which an on-site wastewater treatment system and/or on-site water supply system is located, it shall be the duty of the owner to have each system inspected by a Property Transfer Inspector (PTI) and secure a determination letter from the Lincoln-Lancaster County Health Department (LLCHD).

PTIs must hold a valid permit from LLCHD to conduct inspections on the on-site wastewater system and/or the on-site water system. A current list of PTIs is available by contacting the LLCHD.

The PTI will conduct inspections of the on-site wastewater and/or the onsite water system based on the criteria set by the LLCHD. The inspection results will be submitted to the LLCHD, along with a \$75.00 fee for review and issuance of a determination letter. After reviewing the inspection report, LLCHD will issue one of three letters of determination. They are:

**Approval:** This means at the time of inspection the on-site wastewater system and/or the on-site water system found the structure and operational status were in substantial compliance with applicable local and state codes.

**Denial:** This means either one or both of the on-site systems may adversely affect public health. The denial status does not preclude the sale, transfer or conveyance of property. However, if a serious

public health violation does exist, LLCHD may take legal steps to make sure the violation is corrected.

**Undetermined:** This means the system could not be inspected due to weather conditions. The inspection must be completed when the weather conditions are acceptable.

The property code does provide exceptions to the inspection requirement and issuance of the determination letter. Examples of the most common exceptions: 1) when a determination letter was issued within the past 36 months; 2) a new system installed in the previous 36 months; 3) transfers from spouse to spouse; and 4) transfers between immediate family members.

If you have questions about the property transfer code, contact John Chess at 441-8027 or Doug Smith at 441-8031.