

Bill No. 5435

Ordinance No. 25-072

Requested by: Steve Ehlmann and Michael Hurlbert

Sponsored by: Council as a Whole

AN ORDINANCE AMENDING SECTION 405.500.B.4 OF THE ORDINANCES OF ST. CHARLES COUNTY, MISSOURI, REGARDING WASTEWATER DISPOSAL REGULATIONS AND PRIVATE SEWAGE DISPOSAL SYSTEMS

WHEREAS, the St. Charles County Charter Art. II, Section 2.529 (2006) grants to the County Council legislative power pertaining to public health and welfare, building construction, and to planning and zoning, and on other subjects as may be provided by applicable law, in the part of the County outside incorporated cities, towns, and villages; and

WHEREAS, the Director of Community Development and the County Executive have requested that certain changes be made to the County's requirements regarding Wastewater Disposal Regulations and the permissibility of private sewage disposal systems; and

WHEREAS, to that end, it is appropriate to amend the United Development Ordinance of St. Charles County, Missouri ("UDO"), and specifically, Section 405.500.B.4, Ordinances of St. Charles County, Missouri ("OSCCMo"); and

WHEREAS, the UDO, Section 405.535.B.2 authorizes the County Council upon its own motion to amend the UDO by ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 405.500.B.4 of the Ordinances of St. Charles County, Missouri (OSCCMo.) is hereby amended as follows (added language in **bold type**, deleted language in [~~bracketed and stricken type~~]):

4. Private sewage disposal systems regulated by the St. Charles County Division of Building and Code Enforcement requiring a permit and all necessary inspections where there is no possibility for connection to a sanitary sewer according to the local wastewater regulatory authority. Such systems may be permitted as follows:

a. New private sewage disposal systems. Parcels upon which a new private sewage disposal system is to be installed shall contain a total of not less than three (3) acres per dwelling unit unless Division of Building and Code Enforcement approval is given for existing parcels less than three (3) acres on a case-by-case basis.

(1) The minimum area needed for a private sewage disposal system could be reduced to one (1) acre, with Division of Building and Code Enforcement approval, provided that all other requirements of [~~this~~] Chapter **405** and Chapter 410 **OSCCMo.** are met.

(2) **For properties not wholly within a floodplain, the minimum area needed**

for a private sewage disposal system could be reduced to less than one (1) acre, provided that:

- (a) The property is part of a subdivision platted and recorded in the records of St. Charles County, Missouri before November 1, 1959; and**
- (b) The property is located within a subdivision or residential housing development which is exempted under 10 CSR 20-6.030(1)(C) of the Rules of the Missouri Department of Natural Resources, as amended; and**
- (c) The requirements of the Missouri Department of Health and Senior Services for the construction and operation of on-site sewage treatment and disposal systems are met; and**
- (d) All other requirements of Chapter 405 and Chapter 410 OSCCMo. are met.**

b. Repair or replacement of existing private sewage disposal systems. Existing private sewage disposal systems that serve existing residential structures may be repaired or replaced, provided those systems and structures

are on parcels that contain a total of not less than three (3) acres per dwelling unless Division of Building and Code Enforcement approval is given for existing parcels less than three (3) acres on a case-by-case basis, and provided further:

(1) That the Division of Building and Code Enforcement determines that a functional private sewage disposal system can be installed on the parcel in question, and

(2) That all other requirements of [~~this~~] Chapter **405** and Chapter 410 **OSCCMo.** are met, **and**

(3) That any appeal from an adverse determination by the Division of Building and Code Enforcement shall be to the Building Commission of St. Charles County, as provided by the Private Sewage Disposal Code of St. Charles County, Section 500.300, **OSCCMo.**, notwithstanding any provision to the contrary of this Unified Development Ordinance of St. Charles County, Missouri.

- c. If possible public water supply should be available to these lots. The owner of the property will be required to connect to sanitary sewers, if available, within the distance set by the applicable Building Code and the local wastewater regulatory authority.

Section 2. This ordinance shall be in full force and effect from and after the date of its passage and approval.

November 10, 2025
DATE PASSED

November 19, 2025
DATE APPROVED BY COUNTY EXECUTIVE

Michael El...
CHAIR OF THE COUNCIL

A. El...
COUNTY EXECUTIVE

ATTEST:

Allis Reed
COUNTY REGISTRAR

