



County of Clarke
David Ash, County Administrator

RE: Required Recordation Prior To Conveyance Of Real Estate

Enclosed, for your information, is a copy of an amendment to an ordinance adopted by the Clarke County Board of Supervisors on Tuesday, May 15, 2007 effective July 1, 2007. This ordinance adds Article III to Chapter 143 (Septic Systems) of the Clarke County Code.

As set forth in §143-19, prior to the sale or transfer of any interest in real estate in Clarke County on which is located a structure or structures served by an onsite sewage disposal system, the Notice of Onsite Sewage Disposal Limitations form, with a copy of the Virginia Department of Health (VDH) permit attached, must be recorded by the owner(s) of the property for each structure on the property, unless the Notice has been previously recorded for the structure or structures on the property. If there is no sewer permit record available in the VDH, in lieu of the Notice of Onsite Sewage Disposal Limitations a Notice of No Sewer Permit availability must be recorded, pursuant to §143-20.

If the applicant requires a...	Then, the applicant shall. . .
Record of the Onsite Sewage Disposal System for the property ... Refer to Section 143-19	1) Obtain a copy of Notice of Onsite Sewage Disposal Limitations (attached) 1) Complete a File Search of Records at Health Department 2) Based on search results - Attach a copy of the Operations Permit or Sewer Permit (from the Health Department) 3) Check the box on the form indicating what type of permit is attached (based on File Search) 4) Sign and Notarize the form 5) Record in the Circuit Court 6) Bring copy of recorded documents, showing the Clerk's recording stamp to the Building Dept. for issuance of Building Permit
If the file search reveals that a record for the Onsite Sewage Disposal System for the property does not exist... Refer to Section 143-20	1) Obtain a copy of Notice of No Sewer Permit Availability 2) Sign and Notarize the form 3) Attached the completed File Search of Records 4) Record in the Circuit Court