

**TOWN OF PARADISE ORDINANCE NO. 512**  
**AN ORDINANCE AMENDING THE PARADISE MUNICIPAL CODE,**  
**SECTIONS 13.04.020, 13.04.050 and 13.04.110**  
**RELATING TO ONSITE SEWAGE DISPOSAL SYSTEMS**  
**AND NEW PARCEL CREATION**

The Town Council of the Town of Paradise, State of California does hereby **ORDAIN AS FOLLOWS:**

**Section 1.** Section 13.04.020 of the Paradise Municipal Code is amended with additional definitions to read as follows:

**13.04.020 – Definitions**

“Advanced treatment wastewater system” means an onsite sewage disposal system that provides secondary treatment to wastewater through an oxygenation process and provides effluent quality for BOD and TSS that meets or exceeds standards as established in Chapter 6 of the Town of Paradise Manual for the Onsite Treatment of Wastewater.

“Community wastewater system” means an onsite sewage disposal system that serves a combination of two or more residential, commercial residential, commercial or industrial units located on the same or different parcels. A community wastewater system may or may not provide advanced treatment to wastewater.

**Section 2.** Section 13.04.050.B of the Paradise Municipal Code is amended to read as follows:

**13.04.050 Construction Permit--Required**

B. Validity. Permits issued pursuant to this article shall be valid for one year and shall automatically become void one year from the date of issuance, unless renewed prior to the expiration date; provided, however, repair permits shall be valid no more than 90 days. All permit renewals shall comply with all applicable, current codes at time of renewal.

**Section 3.** Section 13.04.110 of the Paradise Municipal Code is amended to read as follows:

**13.04.110 - Lot area requirements.**

- A.** When designing new parcels, the establishment and use of advanced treatment systems and community wastewater systems may be approved by the onsite sanitary official.
- B.** The on-site sanitary official and the State Regional Water Quality Control Board are authorized to formulate guidelines for advanced treatment systems and community wastewater systems. Advanced treatment systems and community wastewater systems shall be located, designed and installed under the direction of a registered civil engineer, registered engineering geologist or registered environmental health specialist and so certified in a manner acceptable to the on-site sanitary official.
- C.** When designing new parcels that will not be using a community wastewater system, the minimum required net lot areas shall be sized according to Table 13.04.110 of this section. "Net lot area" means that portion of a parcel not including the following areas:
  - 1.** Private and public easements for access or roadway purposes;
  - 2.** Areas within the minimum separation distances shown in Table 13.04.120 of this section except required setbacks for buildings and streets;
  - 3.** Areas with a slope in excess of thirty percent;
  - 4.** Areas where the percolation rate is in excess of one hundred twenty minutes per inch;
  - 5.** Areas with less than seven feet of soil above impervious stratum or winter groundwater, unless advanced treatment sewage disposal systems are approved by the on-site sanitary official.
  - 6.** Easements dedicated or reserved for sewage disposal purposes shall be established in a document recorded in the recorder's office of the county. Such recorded documents shall apply only to repairs and to existing lots of record on the effective date of the regulations codified in this chapter.

- D. Each new parcel not served by a community wastewater system shall provide the minimum net lot area for sewage disposal found in Table 13.04.110 of this section. Areas shown in Table 13.04.110, up to and including two acres, are net lot areas for sewage disposal, as defined in Section 13.04.020. Areas in Table 13.04.110 in excess of two acres are minimum gross parcel sizes; provided, however, that such gross parcels contain not less than two acres of net lot area as defined in subsection C of this section.
- E. Each new parcel to be served by a community wastewater system shall be sized using gross acreage criteria as established in Section 6.2.4 of the Town of Paradise Manual for the Onsite Treatment of Wastewater. Gross acreage sizing includes all parcels that are participant with the community wastewater system. Owners of parcels served by a community wastewater system shall enter into an agreement with each other or the operator of the system which shall be in a form approved by the Town. The agreement shall set forth the rights and obligations concerning the establishment, operation and maintenance of the community wastewater system.
- F. Required net lot areas shall be based on a wastewater generation rate of three hundred gallons per day ("gpd"). When designing land divisions of real property that entail existing land uses, minimum required net lot areas as set forth in Table 13.04.110 of this chapter shall be adjusted proportionately using the following wastewater generation rates:

Type of Development (each living unit)	Wastewater Generation Rate (gallons per day)
One bedroom	150
Two bedroom	225
Three bedroom	300
Each additional bedroom, add	75
Type of Development (each living unit)	Wastewater Generation Rate (gallons per day)
Commercial, industrial, institutional	Wastewater generation rate to be determined by the on-site sanitary official based on water use records or published waste-water generation data. (In UPC, EPA Manual or Manual of Septic Tank Practices.)

- G.** An "impervious stratum" is a layer or lens of fine-grained soil, rock, cemented material or similar soil structure in which the percolation rate exceeds one hundred twenty minutes per inch or in which twelve inches of water depth will not seep completely away in a twenty-four-hour period.
- H.** Areas with less than two feet of soil, slopes in excess of thirty percent, or percolation values in excess of one hundred twenty minutes per inch are deemed unsuitable for meeting net lot area requirements.
- I.** In addition to the other requirements of these standards, sewage disposal areas must be of such a configuration that it is practicable to use them based upon standard practices for the installation of on-site wastewater treatment and disposal systems.
- J.** Net lot area necessary to accommodate the sewage flow from a private or multifamily residence(s) shall be based upon the number of bedrooms or other potential sleeping quarters in the residence, and upon the average percolation rate in the proposed sewage disposal area.

TABLE 13.04.110  
MINIMUM NET LOT AREAS BASED ON WASTEWATER GENERATION RATE  
OF THREE HUNDRED GALLONS PER DAY

Slope	Perc Value (min./in.)	Average Soil Depth in Feet Above Winter Groundwater or Impervious Stratum					
		Conventional Systems	Advanced Treatment Systems				
		7 or Greater (sq. ft.)	7 to 6 (sq. ft.)	6 to 5 (sq. ft.)	5 to 4 (sq. ft.)	4 to 3 (sq. ft.)	3 to 2 (acres)
0 to 10%	0–10	14,520	20,520	25,520	35,520	80,860	5
	11–20	16,520	22,520	27,520	37,520	82,860	5
	21–40	18,520	24,520	29,520	39,520	84,860	5
	41–60	20,520	24,520	31,520	41,520	86,860	5
	61–80	31,520	34,520	41,520	51,520	2.00 ac.	5
	81–100	41,520	44,520	51,520	61,520	2.25 ac.	5
	101–120	61,520	64,520	71,520	81,520	2.75 ac.	5
Over 10% to 20%	0–10	16,520	30,520	38,520	53,520	2.25 ac.	5
	11–20	18,520	32,520	40,520	55,520	2.50 ac.	5
	21–40	20,520	34,520	42,520	57,520	2.50 ac.	5
	41–60	27,520	36,520	44,520	59,520	2.75 ac.	5
	61–80	39,520	46,520	54,520	69,520	2.75 ac.	5
	81–100	49,520	56,520	64,520	79,520	3.00 ac.	5
	101–120	69,520	76,520	84,520	99,520	3.50 ac.	5

Over 20% to 30%	0—10	20,520	40,520	50,520	74,080	3.50 ac.	10
	11—20	22,520	42,520	52,520	76,080	3.50 ac.	10
	21—40	24,520	44,520	54,520	78,080	3.75 ac.	10
	41—60	26,520	46,520	56,520	80,080	3.75 ac.	10
	61—80	46,520	56,520	66,520	90,080	4.00 ac.	10
	81—100	56,520	66,520	76,520	100,080	4.25 ac.	10
	101—120	76,520	86,520	2.25 ac.	2.75 ac.	4.75 ac.	10

**Section 4.** This ordinance shall take effect thirty (30) days after the date of its passage. Before the expiration of fifteen (15) days after its passage, this ordinance or a summary thereof shall be published in a newspaper of general circulation published and circulated within the Town of Paradise along with the names of the members of the Town Council of Paradise voting for and against same.

**Passed and Adopted** by the Town Council of the Town of Paradise, County of Butte, State of California, on this 8th day of February, 2011, by the following vote:

**AYES:** Steve "Woody" Culleton, Joe DiDuca, Scott Lotter, Tim Titus,  
Alan White, Mayor


**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**ATTEST:** None

**BY:** Joanna Gutierrez  
Joanna Gutierrez, CMC, Town Clerk

  
Alan White, Mayor

**Approved as to Form:**  
**BY:** Dwight L. Moore  
Dwight L. Moore, Town Attorney