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# 1 *PERMITS*

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The Town of Paradise requires that permits be obtained to construct, operate, and repair onsite wastewater disposal systems. The Town also requires that septic tank contractors be certified by the Town prior to conducting business within the Town Onsite Wastewater Management Zone. The permitting procedures are outlined in this chapter.

## 1.1 GENERAL GUIDE FOR ONSITE SEWAGE DISPOSAL SYSTEM APPLICATIONS

The table shown below is an outline of the Town permits or approval actions required for various common situations.

Situation	Permits <sup>1</sup>		
	Site Evaluation	Construction	Operating <sup>2</sup>
1. Routine system inspection			A
2. New home construction, new system	A	A	A
3. Failing system repair	B	A	A
4. Bedroom addition	B	B	A
5. Replacement of mobile homes with similar units			B
6. Connection of temporary housing to existing system			A

<sup>1</sup> A: Permit required  
 B: Town should determine if permit is required  
<sup>2</sup> New or renewal

## 1.2 SITE EVALUATION REPORT

Site evaluations may be conducted by either qualified onsite wastewater disposal system designers or authorized Town personnel. Evaluations conducted by private designers must be approved by the Onsite Sanitary Official prior to the development of construction plans and specifications.

### A. Site Evaluation By Qualified Designers

A qualified designer may conduct a site evaluation and prepare a Site Evaluation Report for approval by the Town. Site Evaluations must be conducted by or under the direct supervision of one of the following:

1. Registered Civil Engineer
2. Certified Professional Soil Scientist
3. Certified Engineering Geologist or Registered Geologist
4. Registered Environmental Health Specialist

The professional conducting or directly supervising the evaluation must be knowledgeable and experienced in the field of onsite wastewater disposal. The Town will institute a procedure of random, unannounced verification inspections to ensure that site evaluations by qualified designers meet the standards of the Town.

A Site Evaluation Report prepared by a qualified designer must be approved by the Onsite Sanitary Official before the property owner authorizes the preparation of construction plans and specifications. Town approval of a Site Evaluation Report is required for the issuance of a construction permit. Town approval is obtained by submitting the Site Evaluation Report along with a completed application form provided by the Town and payment of the required fee. The Onsite Sanitary Official may perform a brief site inspection as part of the approval process depending on the location of the proposed site. Justification must be given for a denial of approval for an onsite wastewater disposal system recommendation by a qualified designer.

An approved Site Evaluation Report is transferable with a property sale provided the intended use of the property, structure size, and intended disposal area(s) do not change. There may be a long period of time between the site evaluation and system construction on some parcels. The Town's rules and regulations could change during this time. The Town therefore reserves the right to change the type of system specified in the Site Evaluation Report approval at any time until a construction permit is issued. Lots or parcels located in identified areas of high groundwater or marginal soil conditions will be inspected by the Town.

### B. Exemption To Soils and Percolation Requirements

All single family residential lots, created by parcel map or subdivision map, and approved by the Town of Paradise subsequent to November 27, 1979, will be considered to be approved with respect to soils and percolation data, if the following criteria are met:

1. The parcel is located in an area location that is listed as AVD, 0-30" (Aiken Very Deep, 0-30% Slope) as illustrated on the general soil map of Paradise prepared by Wert & Associates, on file at the Town Onsite Division.
2. The parcel is not located in an area known to have problematic soils conditions, such as high water table, perched water, or very slow percolation rates (>60 min/inch)

Soil conditions that differ substantially from that represented on the Wert soils map may require relocation of the proposed system or other measures, such as engineered or special design systems, at the discretion of the Town Onsite Sanitary Official.

### **C. Denial Of Approval**

Upon receipt of a completed Site Evaluation report, the Onsite Sanitary Official may deny approval of the Site Evaluation recommendations if:

- The proposed system would not comply with the approved rules and regulations of the Town.
- The proposed system location is compromised by an encumbrance.
- The report contains false information.

### **D. Site Evaluation Report Requirements**

The following items shall be included in the Site Evaluation Report:

- Assessor's parcel map, which may be acquired at the Butte County Assessor's office.
- Preliminary site development plan, drawn to scale, including:
  - a. Parcel size: The map must include dimensions of parcel and any easements on the parcel.
  - b. Topography: Topographic map of the parcel at a scale of one inch equals fifty feet (1" = 50') and two foot contours or greater.
  - c. Surface waters: All ponds, intermittent streams, perennial streams, and springs must be located accurately.
  - d. Landslides or unstable soils: Areas that appear to be unstable should be checked by an engineering geologist or civil engineer to determine if the presence of an absorption field will cause mass movement.
  - e. Existing and proposed wells located within 100 feet of the proposed absorption fields (initial and replacement).
  - f. Encumbrances such as easements, roads, rock outcrops, etc.

- g. Escarpments and large cuts (See Figures 1.1 and 1.2).
  - h. Soil test hole locations
  - i. Proposed and existing developments
  - j. Utilities such as water mains, gas lines, power lines, etc.
- Description of soil and groundwater conditions on the site.
    - a. Soil profiles: A minimum of two soil profiles taken from soil test pits shall be described. The pits should represent the soils in the initial and replacement area. The test pits should be a minimum of twenty-four inches wide by four feet long by seven feet deep and easily exited by a person. If pits are dug by hand, they should be deep enough to examine the soil to a depth of seven feet.

Minimum observation of the soils are:

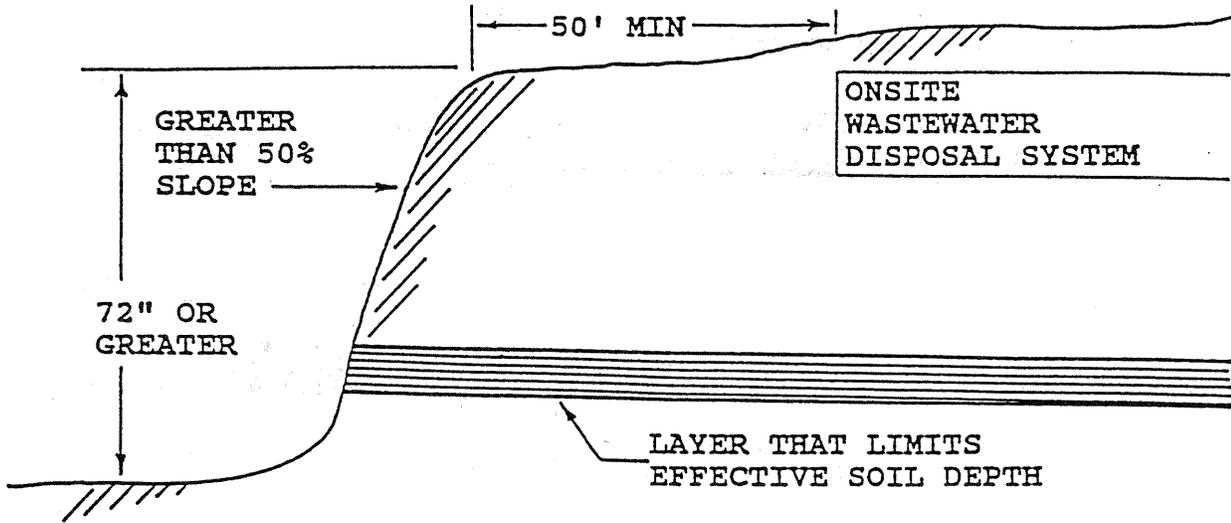
- Thickness of each major horizon
- Texture based on USDA definition of textural classes
- Structure
- Color
- Presence of roots, pores, clay skins
- Mottles (low and high chroma)
- Estimates of permeability

All of these soil features are defined in Appendix A.

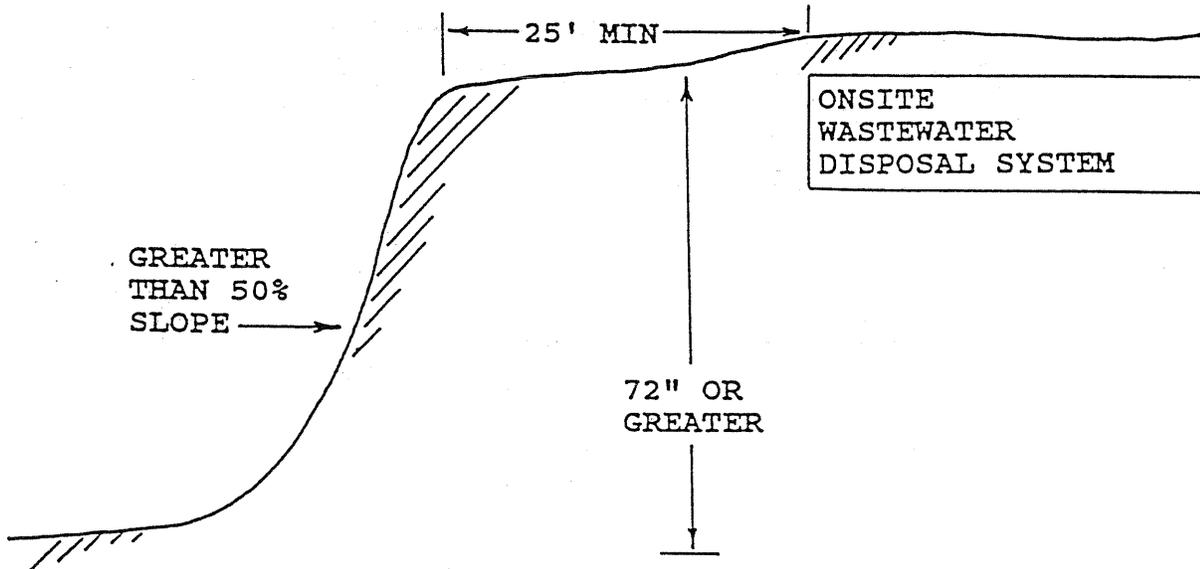
- b. Soil permeability: Often the observations made in the soil profile descriptions will be adequate to assess permeability for a single family dwelling. Where the soil permeability is in question, soil percolation tests shall be required. For very sensitive sites, soil absorption tests shall be needed (see Appendix C for guidelines).
- c. Soil underlain by saprolite: Saprolite is material that can be textured, crushed, or broken with hand pressure. If there are clay films or iron coatings with moist values of five or less and moist chromas of four or more, and/or organic coatings with moist values of three or less and moist chromas of three or more occurring on fracture surfaces, then saprolite will be considered soil. Where the material does not meet the above criteria, it shall be treated as fractured bedrock.
- d. Presence of saturated soil: The maximum height of a water table shall be noted. Often the presence of a water table can be detected by soil mottles. However, mottling in the soils of Paradise can understate the maximum level of water table. High levels of oxidized iron, long periods between periods of high

rainfall, and high levels of oxygen in the soil water prevent mottles from being as prominent as they are in other soils. For those sites suspected of having a seasonal water table and having unmottled soil, or on sites located in identified areas of high groundwater, monitoring of the water levels will be required (see Appendix B).

The type of water table needs to be determined. Most of the sites in Paradise with drainage problems have temporary high water tables. Typically, they are perched on a clay pan or bedrock and are not used for domestic purposes. If there is an aquatard (bedrock, clay layer) which prevents waters leaving an absorption field from entering an aquifer used for domestic purposes, it is considered temporary. A perched water table must last longer than a continuous two-week period. Anything less than two weeks is considered insignificant.



**FIGURE 1.1**  
IDEALIZED CROSS SECTION OF AN ESCARPMENT WITH A LAYER THAT LIMITS EFFECTIVE SOIL DEPTH



**FIGURE 1.2**  
IDEALIZED CROSS SECTION OF AN ESCARPMENT WITHOUT A LAYER THAT LIMITS EFFECTIVE SOIL DEPTH

### 1.3 CONSTRUCTION PERMIT

An application must first be submitted to obtain a permit for all construction, alteration or repair of any onsite wastewater disposal system with the exception of the installation of septic tank risers. Applications will be made on forms provided by the Town and will be considered acceptable only when the form is completed in full, signed by the owner or the owner's legally authorized representative, and accompanied by all required exhibits and fees. A permit shall be issued only to a licensed contractor hired by the owner or to the owner or easement holder of the land on which the system is to be installed.

The Town will either issue or deny the permit within thirty days after the receipt of the completed application for a conventional system, with the exception that the weather conditions prevent the Town from acting within thirty days. The applicant shall be notified in writing with the reason for delay. The Town will either issue or deny the permit within sixty days after the mailing date of such notification. Review of alternative or innovative designs may take longer than thirty days.

The approved permit will remain effective for one year from the date of issuance on only new construction permits. Construction Permits for repairs shall remain in effect only for the time period allowed in the Corrective Action Request or Notice. The construction permit is not transferable. Once a system is installed pursuant to the construction permit, an operating permit shall be issued for the installation.

Renewal of a permit may be granted to the original permittee if an application of permit renewal is filed prior to the original permit expiration date. A new construction permit shall only be renewed once.

#### A. Application Requirements

The application for a construction permit must include the following:

- Site Evaluation Report approved by the Town.
- Detailed and specific site development plans and specifications. Plans and specifications for alternatives systems will need to be prepared by a qualified designer. The plans must include:
  - a. Existing and proposed locations of all buildings, roads, driveways and other physical features.
  - b. Property lines.
  - c. Easements.
  - d. Water sources and surface water courses or drainage ways.

- e. Exact location of proposed septic tank, distribution box or drop boxes, and all other system components.
- f. Exact location of absorption field area and replacement area, drawn to scale. Each lot must have sufficient usable area available to accommodate an initial and replacement system.

Sites may be approved where the initial and replacement systems would be of different types. For example, a standard system could be approved for the initial system and a capping fill for the replacement system.

- g. Proposed elevations of the building sewer, the inlet and outlet of the septic tank, distribution boxes or drop boxes, number and length of the absorption trenches and specification of installation of any other system components.
  - h. Required setbacks, as discussed in Section 3.1 of this manual, must be identified on the site development plan.
- Draft operations and maintenance instructions for alternative systems for approval by the Town.

#### **B. Precover inspection**

When construction, alteration or repair of a system for which a construction permit has been issued is complete, except for backfill (cover), or as required by permit, the system installer shall notify the Town. The installer will provide to the Town a detailed, as-built plan (drawn to scale) of the installation. The Town shall inspect the installation to determine if it complies with the rules of the Town.

The Town may waive the Precover Inspection for standard systems, at the sole discretion of the Onsite Sanitary Official. Inspections may be waived by the Onsite Sanitary Official for standard system installations made by licensed installers certified by the Town.

### **1.4 OPERATING PERMIT**

A valid operating permit is required for all onsite wastewater disposal systems located in the Onsite Wastewater Management Zone. Operating permits are not transferable and must be renewed periodically. Initial operating permits and renewal of operating permits are discussed separately below.

**A. Initial operating permit**

The Town will issue an operating permit if, upon inspection of installation or modification, the system complies with the conditions of the construction permit.

**Standard System:** The Town will issue an operating permit if, upon inspection of installation or modification, the system complies with the conditions of the construction permit. The Town will not issue an operating permit until as-built plans have been received and approved.

If inspected installation does not comply with the conditions of the construction permit, the permittee will be notified in writing or a Correction Notice will be posted on the site. System deficiencies will be explained and satisfactory completion required before an operating permit will be issued.

Failure to meet requirements for satisfactory completion within thirty (30) days after written notification or posting a Correction Notice on the site constitutes a violation of the construction permit process and these rules, and can result in a Stop Work Notice.

**Alternative and Innovative Pre-Treatment Systems:** The Town will issue an operating permit if, upon inspection of installation or modification, the system complies with the conditions of the construction permit. The Town will not issue an operating permit until as-built plans, and final operation, maintenance and monitoring instructions have been received and approved by the Onsite Sanitary Official. In the instances where alternative and innovative systems are Pre-Treatment Systems the following operation, maintenance and monitoring requirements are required:

- **Operation and Maintenance Personnel:** The system shall be operated and maintained by experienced personnel as approved by the Onsite Sanitary Official. Experienced personnel may include Town of Paradise Licensed Evaluators or other experienced personnel licensed by the State Water Resources Control Board as “Certified Wastewater Treatment Plant Operators”. The Owner will provide the Onsite Sanitary Official with written proof that experienced personnel have been retained by the Owner to operate and maintain the system.
- **Frequency of Operation and Maintenance Attendance:** The frequency of operation and maintenance attendance shall be determined by the Onsite Sanitary Official. But, in no case shall the frequency be greater than one (1) month.
- **Operation and Maintenance Attendance Log:** An operation and maintenance attendance log of system tasks shall be completed upon each system visit. The log may become part of the reporting requirements submitted to the Town as determined by the Onsite Sanitary Official.
- **Minimum Monitoring Requirements:** The minimum constituent and physical monitoring requirements are as follows:

1. Influent 5-day Bio-chemical Oxygen Demand;
2. Effluent 5-day Bio-chemical Oxygen Demand;
3. Influent Total Suspended Solids;
4. Effluent Total Suspended Solids;
5. Influent Total Nitrogen (as determined by the Onsite Sanitary Official)
6. Effluent Total Nitrogen (as determined by the Onsite Sanitary Official)
7. Effluent Flow Metering (as determined by the Onsite Sanitary Official)

Other monitoring requirements may be required depending on the site specific discharge and as determined by the Onsite Sanitary Official.

- Frequency of Monitoring Analyses: The frequency of the monitoring analyses shall be determined by the Onsite Sanitary Official depending on the site specific characteristics of the discharge and the location of the discharge.
- Monitoring Reporting: The Owner shall submit to the Onsite Wastewater Management Division the results of all monitoring tasks. The submittal shall be on a quarterly basis as outlined below:
  1. First quarter analyses data to be submitted on the 1<sup>st</sup> day of April each year.
  2. Second quarter analyses data to be submitted on the 1<sup>st</sup> day of July each year.
  3. Third quarter analyses data to be submitted on the 1<sup>st</sup> day of September each year.
  4. Fourth quarter analyses data to be submitted on the 1<sup>st</sup> day of January each year.

#### **B. Operating permit renewal – standard systems**

1. Operating Permits will be renewed each time a standard onsite wastewater disposal system successfully passes an evaluation performed by a Town of Paradise Licensed Evaluator and received and approved by the Onsite Sanitary Official.
2. The Town Licensed Evaluators may recommend to the owner and the Town, any correction necessary to bring the onsite wastewater disposal system into compliance with all applicable Town rules and regulations. The Town will issue all correction notices to the owner.
3. The Town will act to resolve any disputes between the property owner and the evaluator personnel. Operating permits will be renewed upon receipt of satisfactory evidence that the corrections have been made.

#### **C. Evaluation schedule – standard systems**

Evaluations will be required for any of the following circumstances:

1. Whenever the septic tank is pumped that is not a condition of an existing Operating Permit.
2. Whenever the property is sold and the property does not have a current Operating Permit.

3. Whenever a complaint is filed with the Town.
4. The time interval between evaluations for each system shall be established by the Town based on its approximated volume of wastewater processed and the Town's most current septic system evaluations report(s) concerning the observed performance of the onsite wastewater treatment and disposal system, and, any other conditions deemed appropriate by the Onsite Sanitary Official.

**D. Evaluation schedule – alternative and innovative pre-treatment systems**

Periodic evaluations of alternative systems shall be performed by the Town of Paradise Onsite Division Staff twice each year in the months of February and August. During the course of reviewing the required Owner submitted Quarterly Reports, should the Onsite Division Staff find discrepancies an evaluation may be triggered on a more frequent schedule. The cost for the Onsite Division Staff evaluations shall be borne by the owner based on the Town of Paradise adopted fee schedule for “onsite monitoring”.

**E. Operating permit renewal – alternative and innovative pre-treatment systems**

Alternative and innovative pre-treatment systems will be evaluated on a regular basis by Town personnel. Operating Permits for alternative and innovative pre-treatment systems shall be renewed on an annual basis. No operating permits for these systems shall be issued for periods longer than one (1) year. The requirements for renewal are as follows:

1. The system shall be in total compliance with the previously issued Operating Permit for the facility at the time of renewal.
2. Quarterly Report submittals shall be up to date with current reporting requirements.
3. Failure of compliance with the above two (2) requirements for permit renewal shall result in the issuance of a Correction Notice with a thirty (30) day, or less requirement to bring the system into compliance, and, a non-compliance fee.
4. Failure to renew the permit shall result in “Abatement” as per the Town of Paradise Municipal Code Chapter 13.04.430.

## **1.5 USE OR MODIFICATION OF AN EXISTING SYSTEM**

No person shall place into service, change the use of or increase the projected daily wastewater flow into an existing onsite wastewater disposal system without obtaining a new operating permit or a construction permit, as appropriate.

To determine whether a previously constructed onsite system is usable, the applicant must have the system inspected by certified personnel, pay the appropriate fee, and provide all required attachments. If the Town determines that the existing onsite wastewater disposal system appears adequate to serve the purpose for which a particular application is made, then a new operating permit will be issued.

A construction permit will be required when the existing system is failing, setback requirements can no longer be met due to the proposed use, or a public health hazard would be created in the opinion of the Town.

A new operating permit is not required when: (1) there is a change in use, but no change in flows such as replacement of a mobile home with a similar unit, (2) for placing into service a previously unused system, provided a valid operating permit must have been issued within two years for the system.

## **1.6 REPAIR OF FAILING SYSTEMS**

A construction permit is required for the repair of a failing onsite wastewater disposal system, except for emergency repairs as described in Section 1.7. Alternative or experimental designs that will correct the problem on a long term basis may be entertained for repairs, even if they are not included in this manual. Refer to Chapter 7 for the approval procedures for innovative applications. The Town will require a monitoring program, performed at the owner's expense, for alternative or innovative designs.

## **1.7 EMERGENCY REPAIR**

An emergency repair means the repair of a system where wastewater is backing up into a dwelling or commercial facility, or there is a broken pressure sewer pipe or the health and safety of humans are threatened and immediate action is necessary to correct the situation. In order to immediately and temporarily stop a health hazard, the Onsite Sanitary Official may waive the applicable permit requirements. The Town shall determine if a Site Evaluation Report is required for the permanent system repair.

## **1.8 LICENSING TO PERFORM WASTEWATER DISPOSAL SERVICES**

Wastewater disposal services are hereby defined to include:

- The pumping out or cleaning of systems (including portable toilets), or any part thereof.
- The inspection of standard and alternative onsite wastewater disposal systems for the town.
- The disposal of material derived from the pumping out or cleaning of systems (including portable toilets).

## A. Licensing and Certification

No person will perform wastewater disposal services or advertise or represent himself/herself as being in the business of performing such services without first obtaining a license from the Town.

To apply for a wastewater disposal service license, a person must submit a complete license application form to the Town for each business, agree to have applicant's pumping equipment inspected by the onsite sanitary official or his designee, and submit the appropriate application fee. Onsite wastewater treatment and disposal system installation businesses shall maintain and submit evidence to the onsite sanitary official of any and all appropriate licenses, insurance, and bonding as required by the State of California and Butte County.

A wastewater disposal service license may be transferred or amended during the license period to reflect changes in business name, ownership or entity (i.e. individual partnership or corporation) provided a complete application to transfer or amend the license is submitted to the Town with the appropriate fee. The initial valid wastewater disposal service license (not suspended, revoked or expired) must be returned to the Town. Lastly, if there is a change in the business name, a new wastewater Pumping Equipment Description/Inspection form for each vehicle must be submitted to the Town.

Each licensee shall be responsible for any violation of any law, rule or order pertaining to his or her license privileges. The licensee shall provide evidence to the person for whom the licensee provides services that the required State of California and town licenses are maintained in good standing. The licensee shall provide the person for whom the licensee provides services a list of the rights and responsibilities as pertaining to the services rendered. Septic tank pumpers shall maintain their equipment in good operating condition and a manner so as not to create a public health hazard or nuisance. Septic tank pumpers shall comply with all applicable State of California, Butte County, and Town of Paradise laws and regulations concerning the performances of wastewater disposal services.

Certain acts constitute misuse of a license. No licensee will permit anyone to operate under his/her license, except a person who is working under his/her supervision. No person will display a fictitious, revoked, suspended or fraudulently altered license. No person will refuse or fail to surrender to the Town any license which has been suspended or revoked. Nor will any person give false or fictitious information or knowingly conceal a material fact or otherwise commit a fraud in any license application.

The Town may suspend, revoke or refuse to grant or refuse to renew any wastewater disposal service license if it finds after conducting a hearing as specified in Chapter 5.14 of the Paradise Municipal Code:

- A material misrepresentation or false statement in connection with a license application or septic system evaluation report form.

- Failure to comply with any provision established in this onsite manual or the other adopted regulations of the Town.

Whenever a license is suspended, revoked or expires, the licensee must remove the license from display.

A wastewater disposal service may not be considered for relicensing for a period of at least one year after revocation.

A suspended license may be reinstated provided that a complete application for reinstatement of license is submitted to the Town, the grounds for suspension have been corrected and the original license would not have otherwise expired.

## **B. Equipment**

All pumping vehicles must be equipped with either a vacuum or other type pump which will not allow leakage from the diaphragm or other packing glands and which will not allow leakage from the pump or fittings and which is self priming. Each vehicle must, at all times, be supplied with a pressurized wash water tank, disinfectant and implements for cleanup.

The wastewater hose on the vehicles must be drained, capped, and stored in a manner that will not create a public health hazard or nuisance.

The discharge nozzle must be provided with either a camlock quick coupling or threaded screw cap. It must be sealed by either of these when not in use, located so that there is no flow or drip onto any portion of the vehicle and protected from accidental damage or breakage.

All pumping equipment must be used for pumping wastewater disposal facilities exclusively unless otherwise authorized in writing by the Town. Also chemical toilet cleaning equipment shall not be used for any other purpose.

When in use, pumping equipment must be operated in a manner so as not to create a public health hazard or nuisance. All equipment must be maintained in a reasonably clean condition at all times.

Vehicle identification rules must also be followed. The name or assumed business name must be displayed on each vehicle cab and on each side of a tank trailer. Vehicle identification must be in letters at least three inches in height and in a color contrasting with the background. The tank capacity must also be printed on both sides of the tank in letters at least three inches in height and in a contrasting color with the background.

Tanks for pumping out wastewater disposal facilities must have a liquid capacity of at least 1,000 gallons. With the exception that tanks used exclusively with equipment for pumping chemical toilets not exceeding a fifty gallon capacity, should have a liquid capacity of at least 150 gallons. All tanks must be of watertight metal construction, be fully enclosed and

have suitable covers to prevent spillage.

### **C. Pumping and evaluation services**

If a wastewater disposal service license is issued for pumping and inspection, the licensee must accept several additional responsibilities. The spilling of wastewater while pumping or while in transport for disposal must be avoided. Any spillage of wastewater must be cleaned up immediately by the operator and the spill area disinfected.

1. Each licensee must dispose of pumpings by the following procedures:

- No parts of the pumpings will be discharged upon the surface of the ground unless at an approved septage disposal site.
- The licensee must possess at all times during pumping, transport or disposal of pumpings, origin-destination records for wastewater disposal services rendered. A complete file of these origin-destination records must be maintained. The origin-destination record must include:
  - a. A source of pumpings on each occurrence including name and address.
  - b. The specific type of material pumped on each occurrence.
  - c. The quantity of material pumped on each occurrence.
  - d. The name and location of the authorized disposal site where the pumpings were deposited on each occurrence.
  - e. The quantity of material deposited on each occurrence.
  - f. All pumping events shall be reported to the Town of Paradise Onsite Division within five (5) days of the pumping occurrence. The report shall include all items (a.) through (e.) listed above. Failure to comply with this reporting requirement may result in the revocation of the Evaluator's License.
- The licensee must transport all pumpings in a manner that will not create a public health hazard or nuisance.

2. Each licensee conducting evaluation services has the following responsibilities:

- Participate in Town training programs.
- Provide truthful and unbiased evaluations that conform to septic system evaluation report form line item requirements as specified in the septic system evaluation report form handbook.

- Be knowledgeable in the operations and maintenance of pumps, effluent screens and other components of onsite systems.
3. The Town shall attempt to resolve all conflicts between licensees and the public.
  4. The Town shall issue all corrections notices concerning septic systems.
  5. The Town shall periodically observe and evaluate the performance of licensees.
  6. The Town shall develop an ongoing training and licensing program for all Evaluators conducting evaluations in the Onsite Wastewater Management Zone.