

Section 4 – Construction Permit Application Requirements

1. Applicability

- a. No person or persons shall construct, install, alter, upgrade or repair a system within Clear Creek County unless such person holds a valid permit, issued by the Clear Creek Environmental Health Department. The permit must be in the name of the property owner for the specific construction, installation, alteration, repair, or use proposed at the location described on the permit.
- b. A permit is required for the expanded use of an OWTS. The OWTS must be replaced or modified to handle the increased design flow unless it is determined that the existing system is adequately designed and constructed for the higher design flow rate.
- c. The owner of a property on which an OWTS is not in compliance with these Regulations shall apply for a permit to repair the system within two business days after receiving notice from the Department that the system is not functioning in compliance with the OWTS Act or these Regulations, or otherwise constitutes a nuisance or a hazard to public health or water quality.
- d. Replacement or repair of a minor component that will not compromise that system's integrity, design, use or operation may be authorized by the health officer without the issuance of a permit, provided that the work will comply with all other aspects of these Regulations, and prior approval has been given. Minor repairs include but are not limited to, repair or installation of vent pipes, observation ports, clean outs, sampling ports, distribution boxes, or less than five feet of pipe.
 - i. The Clear Creek Environmental Health Department may require an inspection of minor repair work and may charge a fee for said inspection.

2. Construction Permit Types

- a. Major Construction Permit – 2 or more major components of an OWTS are installed replaced, repaired, upgraded.
- b. Minor Construction Permit – 1 major component only of an OWTS is installed, replaced, repair or upgraded.

3. Minimum Permit Application Requirements

- a. An applicant must submit a complete, application on a form provided by the Department prior to installing, construction, altering, or repairing a system. Such application must include (but is not limited to) the following forms and documentation:
- b. An application form containing:
 - i. Owner name and contact information;
 - ii. Applicant name and contact information;

- iii. Design Engineer name and contact information;
- iv. Licensed System Contractor name and contact information;
- v. Legal Description and parcel number of property;
- vi. Physical Address of property;
- vii. Type of permit requested;
- viii. Reason for permit;
- ix. Type of water supply;
 - 1. See Section 3.9 if water supply is being leased from Clear Creek Basin
- c. Construction Site Sanitation Agreement;
- d. Erosion Control Agreement;
- e. Landowner Authorization Form, if landowner and applicant are not the same person;
- f. Report and Site Plan, as detailed in Section 6;
- g. Design Document, as detailed in Section 6;
- h. Full fees pursuant to section 3.10 must accompany all OWTS permit applications at the time of submittal;
- i. Other information, data, plans, specification and tests as required by the Clear Creek Environmental Health Department.
 - i. When specific evidence suggests undesirable soil conditions exist, additional hydrological, geological, engineering or other information provided by a professional engineer or geologist may be required to be submitted by the applicant. This requirement will not prejudice the right of the local public health agency to develop its own information from its own source at its own expense.

4. Site and System Identification

- a. At the time of application of an OWTS Construction Permit, the applicant must ensure the following:
 - i. The site must be marked at the primary road access by a sign showing the property address in compliance with the Clear Creek County Addressing Policy;
 - ii. The corners of the property must be marked with stakes. The stakes shall have an exposed height of not less than two feet and must be flagged and labeled;

- iii. All major components must be staked. The stakes must have an exposed height of not less than two feet and must be flagged or labeled;
- iv. If the onsite well has not been drilled, the well location or water supply location must be staked. The stakes must have an exposed height of not less than two feet and must be flagged and labeled.

5. Application Review and Permit Issuance

- a. The Clear Creek Environmental Health Department will determine whether the information provided in the permit application, site and soil evaluations, assumptions and calculations, and design of the proposed OWTS are in compliance with the requirements of the OWTS Act and these Regulations. If the submittal is determined to be in compliance with these Regulations, a permit will be issued.
- b. The permit will set forth the conditions relating to the installation, operation and maintenance of the system, including but not limited to, effluent testing, cleaning, or maintenance schedules or other special conditions.
- c. Prior to the issuance of any permit, best management practices (BMPs) for erosion and sediment control shall be installed and maintained in accordance with the Clear Creek County Best Management Practices Manual.
- d. A permit issued for non-repair related reasons, such as new construction, upgrade, or alteration, shall expire one year from the date of issuance, unless the renewal of a permit has been approved.
- e. A permit issued for repair of an OWTS must provide a reasonable period of time to complete the repairs, not to exceed 30 days. Failure to complete the repairs within this period of time may result in an Cease and Desist Order.
- f. A permit issued for reasons other than repair, may be renewed one time for a period of one year from the date of renewal, upon written request if:
 - i. The written request is received prior to expiration of the initial permit;
 - ii. There have been no changes in the plans and specifications of the proposed system as set out in the original permit;
 - iii. Full fees pursuant to section 3.10 will apply.

6. Design Revisions

- a. If the Department determines that the proposed system does not comply with these Regulations, the Department will notify the design engineer and applicant that revisions are needed and will provide a reasonable amount of time to submit the revisions. Time to submit revisions will be established by the Clear Creek Environmental Health Department

in writing and is not to exceed 60 days. Revisions are subject to all fees pursuant to Section 3.10.

- b. If revisions are not received within a reasonable period of time, the permit will be denied.

7. Changes in Design Documents or Specifications

- a. Any change in plans or specifications of the OWTS after the permit has been issued invalidates the permit unless the Department has reviewed and approved the changes in writing.

8. Denial of a Construction Permit

- a. Written notice of the denial of a permit application will be given to the applicant by personal service or registered or certified mail, return receipt requested. Service will be complete as to the date of the certificate of mailing or hand delivery. The notice of denial will include reasons why the permit application was denied.
- b. The applicant can appeal the denial of the permit or request a variance pursuant to Section 20 of these Regulations.
- c. The denial shall become final upon the expiration of time for filing an appeal or a variance under Section 20 or when final action is taken on the appeal or variance, whichever is later.

9. Inspection Stages

- a. During the installation of the OWTS, the following inspections must be conducted by the Clear Creek Environmental Health Department are required, unless otherwise specified by the permit terms:
 - i. Site Evaluation – prior to issuance of permit;
 - ii. Open Hole Excavation – prior to installation of any components;
 - iii. Component – after installation of components and prior to backfill. **A copy of gradation and invoice for any imported sand must be provided at this time.**
 - iv. Final Grading – after approval of component placement and after grading and reseeded, and after any electrical hook-ups are completed.
- b. A maximum of five (5) inspections by the Clear Creek Environmental Health Department will be permitted for each permit as part of the permit fee. Additional inspection fees will be assessed for each inspection after the fifth inspection.

- c. When each required inspection stage has been completed, the applicant or licensed Systems Contractor shall provide notice to the Clear Creek Environmental Health Department and request an inspection. The notice and request for inspection shall be given at least one business day prior to the requested inspection date. Inspections will be conducted by the health officer as soon as possible after the request is made. Inspections will not be conducted on days the county offices are closed. Inspections must be called into the Clear Creek County Environmental Health Inspection Line.
- d. The applicant or licensed Systems Contractor shall assure reasonable and safe access for the inspection of any excavation required in the installation of the permitted system. For the purpose of these Regulations, a ladder is not considered reasonable and safe access.
- e. The inspection card shall be conspicuously posted at the job site at all times during construction. A fee for lost or missing inspection cards will be assessed if the card is not available during inspections.
- f. If any inspection reveals any deviation from the design of the permitted system or change in the proposed water supply, or if any aspect of the system fails to comply with the permit, no further progress shall be made under the permit until written approval by the design engineer is submitted to and approved by the Department.
- g. Under certain circumstances and upon prior approval by the Clear Creek Environmental Health Department, if an inspection cannot be completed by the Department, the design engineer for the system may perform one inspection on behalf of the Department with written approval from the Department. The inspection shall be documented by the design engineer in a report containing the engineer's stamp, photographs, and the report shall be submitted to the Department prior to next required inspection.
- h. If upon final inspection, the Department finds the system is installed in accordance with these Regulations and the permit conditions, has received the design engineer certification and record drawing and all pertinent fees have been remitted, the health officer will approve the completed system for use.
- i. No OWTS shall be placed in use without the Clear Creek Environmental Health Department confirming through a component inspection, that it was installed according to the permit requirements and regulations or variances to the regulations.

10. Final Approval of Permit

- a. Prior to issuing final approval for use of the system, the following must be received by the Clear Creek Environmental Health Department:
- b. Receipt of letter from the design engineer certifying the construction of the OWTS was per the approved design plan. The certification must include, but is not limited to:
 - i. Suitability of in situ, imported, or reconditioned site materials to provide adequate treatment of the effluent.

- ii. Verification of sizing and specs of all components;
 - iii. Verification of reseeded after backfill;
 - iv. Verification of the water table, if applicable;
 - v. Verification of installation of all pumps, siphons or any other mechanical or electrical appurtenances, if applicable;
 - vi. Verification of installation of sample, and or monitoring equipment, if applicable;
 - vii. Verification of blasting conformance with submitted blasting plans, if applicable;
 - viii. Name of licensed contractor who installed the system;
 - ix. Name of service provider who will be maintaining the system, if applicable;
- c. Receipt of a record drawing which includes a scaled drawing showing all components of the OWTS including their location from known and findable points, dimensions, depths, sizes manufacturers names and models as available, and other information relative to locating and maintaining the OWTS components.
- d. Receiving an approved inspection prior to backfilling the OWTS by the Clear Creek Environmental Health Department confirming that it was installed according to the permit requirements and regulations or variance to the regulations.

11. Record Drawings

- a. Record drawings, where required in this regulations, must be to scale and must include the following:
- i. All major and minor components of the system including their location from known and findable points;
 - ii. Dimensions of components;
 - iii. Depths of components;
 - iv. Sizes of components;
 - v. Manufacturers' names and models, as available;
 - vi. Location of any wells, or cisterns;
 - vii. Location of dry wells, infiltrator wells, or other features of drainage on the property;
 - viii. Location of driveway; and

- ix. Slope of property.

12. Disclaimer

- a. The issuance of a permit and specifications of terms and conditions therein will not constitute assumption of liability, nor create a presumption that the Clear Creek County Board of Health, Clear Creek Environmental Health Department or its employees may be liable for the failure or malfunctioning of any system. Permit issuance will not constitute a certification that the system, the equipment used in the system, or any component used for system operation will ensure continuous compliance with the provision of the OWTS Act, the regulations adopted thereunder, or any terms and conditions of a permit.