

TOWN OF PITKIN, COLORADO

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# OWTS PERMIT PACKET

## APPLICATION AND GUIDE FOR PROPERTY OWNERS AND GENERAL CONTRACTORS

This is a guide only and does not supersede the Pitkin, Colorado On-site Wastewater Treatment Systems Ordinance and Colorado's Regulation No. 43; On-site Wastewater Treatment System (OWTS) Regulation.

Permit Application Requirements and Procedures:

Prior to installing, altering, or repairing an OWTS, the applicant must obtain a permit from the local public health agency. Incomplete applications will not be accepted. Information obtained therein must be consistent with section 43.4.B.3 of Reg. 43.

### STEPS FOR OBTAINING AN OWTS PERMIT

#### 1. **SITE AND SOIL EVALUATION**

A site and soil evaluation shall be conducted by a professional engineer licensed in the State of Colorado or a qualified soils technician approved by the Environmental Health Office in order to determine the suitability of a location to support an OWTS, and to provide the designer with a sound basis to select the most appropriate OWTS design for the location and application. Every site and soil evaluation shall consist of a preliminary investigation, reconnaissance visit, detailed soil investigation, and a report and site plan. See section 43.5 of Colorado's Reg. 43 for details on what is required as part of the Site and Soil Evaluation.

#### 2. **DESIGN OF THE PROPOSED SYSTEM**

The Town of Pitkin's OWTS ordinance requires that all systems be designed by a professional engineer licensed in the State of Colorado. The system must be designed using the findings of the site and soil evaluation.

See section 43.5.G of Colorado's Reg. 43 for details on what is required as part of the Design Document.

#### 3. **COMPLETE THE APPLICATION**

Submit the completed application to the Town Clerk along with the following items. Incomplete applications will not be processed.

- FEES: OWTS fees are submitted with the application
  - NEW OWTS PERMIT; The permit fee for a new OWT system is \$\_\_\_\_\_ and includes the application and design review, one site inspection and one final inspection **prior to backfill of the project.**  
*CLERK: (application review), pass on to EHA/Sanitarian \$\_\_\_\_\_.*

*EHA/Sanitarian: (design review (request additional documents) \$\_\_\_\_, site inspection \$\_\_\_\_, final inspection \$\_\_\_\_. Document filing with EHA \$\_\_\_\_\_*

- REPAIR OR ALTERATION PERMIT; The fee for a repair to or alteration (enlargement) of an existing system is \$\_\_\_\_ and includes the application and design review, one site inspection and one final inspection **prior to backfill of the project.**

*CLERK: (application review), pass on to EHA/Sanitarian \$\_\_\_\_\_.*

*EHA/Sanitarian: (design review (request additional documents) \$\_\_\_\_, site inspection \$\_\_\_\_, final inspection \$\_\_\_\_. While typically about half the cost, would this actual processing cost be less?*

- SURCHARGE: A surcharge of \$23.00 is due for each permit authorized for a new, repaired, or upgraded on-site wastewater treatment system.

- SITE AND SOIL EVALUATION REPORT:

See section 43.5.F of Colorado's Reg. 43 for details on what is required as part of the Site and Soil Evaluation Report

- DESIGN DOCUMENT:

See section 43.5.G of Colorado's Reg. 43 for details on what is required as part of the Design Document.

## **ONCE THE COMPLETED APPLICATION HAS BEEN SUBMITTED**

1. **STAFF REVIEW OF APPLICATION:** The Environmental Health Agent or its designee, the Town Sanitarian will review the information provided in the application, site and soil evaluations, assumptions and calculations, and design to determine if the proposed OWT system is compliant with the Town of Pitkin's OWTS ordinance and other applicable federal and state regulations.

- The owner, or owner's representative will be contacted after the review is complete and any additional information that may be needed before a permit can be issued will be requested. Common additional items that are requested include the full extent of boundary lines shown on the site plan and all physical features of the property and related setbacks.

2. **SITE INSPECTION:** The Environmental Health Agent or its designee, the Sanitarian will conduct a site inspection of the property in order to verify that the site conditions and design submittal concur with the intent of The Town of Pitkin's OWTS regulations and to review the suitability of the site and the proposed location of the structure(s) and OWTS considering the land use in the area, the proposed use on the site and the size of the property. It is important that the applicant, or applicant's representative, stake and label each pertinent feature, including but not limited to the lot corners, proposed structures, driveways/parking areas, proposed soil treatment area and septic tank location, and well location.

*43.4(E).Inspection Stages 1. Local regulations must specify the stages of site evaluation, construction, installation, alteration, or repair at which the local public health agency shall require inspections.*

- 3. ISSUANCE OF PERMIT:** Once review of the completed application, along with any additional requested items, and the finding of the site inspection concur that the proposed OWT system will comply with the Town of Pitkin's OWTS regulations [and the Town of Pitkin zoning code] the permit will be made available for issuance. It is the goal, but due to access, weather, seasons or unforeseen circumstances not always possible, that the application review, site inspection and notification of approval will be within 15 working days of receipt of a complete application.

### **ONCE THE PERMIT HAS BEEN ISSUED**

#### **SYSTEM IS INSTALLED IN ACCORDANCE WITH THE APPROVED PLAN AND PERMIT**

A Gunnison County Licensed Systems Contractor shall install the approved system.

### **ONCE THE SYSTEM IS INSTALLED AND BEFORE COVERING COMPONENTS**

**1. FINAL INSPECTION:** When the installation of the OWTS has been completed, but before the system is placed in service and before any component of the system has been covered, the applicant or applicant's agent shall notify the Environmental Health Agent or its designee, the Town Sanitarian, and engineer, that the work has been sufficiently completed to allow inspection(s) to determine if all work has been performed in accordance with the permit requirements. After the Engineer has verified that the systems' components are working properly, the Environmental Health Agent or its designee, the Town Sanitarian, will conduct the final inspection within 3 business days of the receipt of notice. Before passing the final inspection, The Environmental Health Agent or its designee, the Town Sanitarian shall verify receipt of As-built Drawing and Certification Letter with the Town Clerk.

**2. AS-BUILT DRAWING:** The engineer shall provide an as-built drawing, which is a scale drawing showing the OWTS as installed, including its location from known and findable points, dimensions, depths, sizes, and other information relative to locating and maintaining the system components. This drawing must be submitted prior to the final inspection described in item 1.

**3. CERTIFICATION LETTER:** The engineer shall certify in writing the construction of the system as designed. This letter must be submitted prior to the final inspection described in item 1.

**ADDITIONAL INFORMATION FOR REPAIR PERMITS:**

(Regulation 43.4(B)(7)(a)(b))

- a. The owner or occupant of a property on which an OWTS is not in compliance must obtain a repair permit from the local public health agency. The applicant must apply for a repair permit within two business days after receiving notice from the local public health agency that the system is not functioning in compliance with the OWTS Act or applicable regulations, or otherwise constitutes a nuisance or a hazard to public health or water quality.
- b. The repair permit must provide for a reasonable period of time within which the owner or occupant must make repairs. At the end of that period, the local public health agency must inspect the system to ensure it is functioning properly. Concurrently with the issuance of a repair permit, the local public health agency may issue an emergency use permit authorizing continued use of a malfunctioning system on an emergency basis for a period not to exceed the period stated in the repair permit. Such an emergency use permit may be extended, for good cause shown, in the event repairs may not be completed in the period stated in the repair permit through no fault of the owner or occupant and only if the owner or occupant will continue to make repairs to the system.

**ADDITIONAL INFORMATION FOR EXPANDED USE PERMITS:**

(Regulation 43.4(B)(8))

A permit shall be 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.

**ADDITIONAL INFORMATION FOR SITE ACCESS:**

(Regulation 43.4(D)(1)).

For the purpose of inspecting and enforcing applicable regulations and the terms and conditions of any permit issued and investigating and responding to complaints, the local public health agency is authorized to enter upon private property at reasonable times and upon reasonable notice for the purpose of determining whether or not an operating OWTS is functioning in compliance with the OWTS Act and applicable regulations adopted pursuant thereto and the terms and conditions of any permit issued and to inspect and conduct tests in evaluating any permit application. The owner or occupant of every property having an OWTS must permit the local public health agency access to the property to make inspections, conduct required tests, take samples, and monitor compliance.

**ADDITIONAL INFORMATION FOR CEASE AND DESIST ORDERS**

(Regulation 43.4(Q)(1)).

The local public health agency may issue an order to cease and desist from the use of any OWTS or sewage treatment works which is found by the health officer not to be

functioning in compliance with the OWTS Act or with applicable regulations or is found to constitute a hazard to public health, or has not otherwise received timely repairs under the provisions of section 25-10-106 (1) (j), C.R.S. Such an order may be issued only after a hearing which shall be conducted by the health officer not less than 48 hours after written notice thereof is given to the owner or occupant of the property on which the system is located. The order shall require that the owner or occupant bring the system into compliance or eliminate the health hazard within a reasonable period of time, or thereafter cease and desist from the use of the system. A cease and desist order issued by the health officer shall be reviewable in the district court for the county wherein the system is located and upon a petition filed not later than ten days after the order is issued.

## **ADDITIONAL INFORMATION FOR VARIANCE REQUESTS**

Individuals seeking a variance from the Town of Pitkin must fill out a Variance Application. The Fee is \$\_\_\_\_\_. Variance requests must contain the following:

- (1) Site-specific request identifying the specific criteria from which a variance is being requested;
- (2) Technical justification by a professional engineer or professional geologist, which indicates the specific conditions which exist and/or the measures which will be taken that support a finding that the variance will result in no greater risk than that associated with compliance with the requirements of the regulation. Examples of conditions which exist, or measures which might be taken, include but are not limited to the following: evidence of a natural or manmade physical barrier to the movement of effluent to or toward the feature from which the variance is requested; placement of a manmade physical barrier to the movement of effluent to or toward the feature from which the variance is requested; soil replacement with sand filter media to reduce the infiltration rate of the effluent such that the travel time of the effluent from the absorption field to the physical feature is no less than the travel time through the native soils at the prescribed setback and Treatment Level 2;
- (3) A discussion of alternatives considered in lieu of the requested variance;
- (4) Technical documentation for selected alternative, which may include a testing program, which confirms that the variance does not increase the risk to public health and to the environment; and
- (5) A statement of the hardship that creates the necessity for the variance.

The applicant has the burden of proof to demonstrate that the variance is justified and will pose no greater risk to public health and the environment than would a system meeting the regulations.

See the Town of Pitkin OWTS ordinance and Colorado's Regulation 43 for more information pertaining to the granting or denial of variances.