

DIVISION V. PERMITS

Section 5.01. Permit Request

No person other than the persons specifically excluded by this Chapter, shall commence, do or cause to be done, construct or cause to be constructed, use or cause to be used, alter or cause to be altered, or connect to any public sewer main, mainline sewage system, house lateral, sewage pumping plant, or other similar appurtenance in the District without first obtaining a written permit from the District Manager and paying the appropriate fees as set forth in this Chapter.

Section 5.02. When Written Contract Required

The District may require a written contract, as described in Chapter 4, from any consumer as a condition precedent to sewer service in any residential, commercial, industrial or other type use where there may be unusual quantities of sewage or construction of special facilities are or will be required. Additionally, if upon determination of the District Manager or Board a written contract is appropriate to best serve the District, one may be required.

Section 5.03. When Permit Not Required

The provisions of this Chapter requiring permits shall not apply to contractors constructing public sewage facility improvements and appurtenances under contracts awarded by the District.

Section 5.04. Validity of Permits

A. Transfer and Uses of Permits

1. General Transferability

- a. Upon prior, written approval of the District, a person to whom a permit has been issued and the work permitted has not been completed or approved by the District, may transfer a permit to another person solely for the same lot or premises for which the permit was issued, subject to all terms and conditions under which the permit was issued. The transferee shall meet all requirements of the District relating to the transfer.
- b. Prior to the District's approval of this transfer for the same lot or premises, the District shall inspect the lot or premises for which the permit was issued. The purpose of this inspection shall be for the District to verify that the amount of construction and the number of units, hook-ups, taps, fixture units and facilities has not increased from that authorized by the permit.

2. Unauthorized Use of Permit

- a. The usage of a permit for a lot or premises other than that lot or premises for which the permit was issued shall be considered an unauthorized usage and is prohibited.

- b. The usage of a permit for a lot or premises which has more construction or an increased number of units, hook-ups or taps, than that for which the permit was issued shall be considered an unauthorized usage and is prohibited.
- c. The usage of a permit for a lot or premises which has more fixture units or facilities than that for which the permit was issued shall be considered an unauthorized usage and is prohibited until and unless fees are paid for the additional fixture units/facilities at the rates set forth in Division VI and for any additional plan checking at the rates set forth in Division VI.
- d. The usage of a permit for any lot or premises which has a different design as to its distribution system, fixture units, or facilities from that shown on the plans for which the permit was issued, shall be unauthorized unless the permittee first provides the District with a revised set of plans showing the different design and the permittee pays all administrative fees the District incurs in reviewing and inspecting the revised plans, including, but not limited to, pre-plan check fees and inspection fees. This requirement is in addition to other requirements or limitations imposed upon the usage of permits as set forth in this Code.

This section is declarative of current District policy and shall not be construed to authorize the usage of a permit otherwise prohibited by Section 5.04 of this Code.

- 3. Resolution of Unauthorized Use of Permit. The unauthorized transfer or usage of a permit in a manner prohibited by Section 5.04 may impose a different or greater demand upon the District's collection system. Therefore, a person must:
 - a. Apply to the District for a new permit prior to a transfer to or use on lot or premises other than that specified in an existing permit, and/or to authorize more construction or an increase in the number of units, hook-ups, or taps specified in the existing permit. A person applying for a new permit must comply with all of the District's most current rules and regulations concerning permits, including, but not limited to, the payment of the appropriate most current fees and charges.
 - b. Where a new permit is not required, pay the fees set forth in Division VI for any fixture units or facilities other than those authorized in the existing permit, including required plan checking fees at the rates set forth in Division VI.
- 4. When the District determines that an unauthorized transfer or usage of a permit has occurred, the District shall, in addition to all other enforcement devices set forth in this code, have the option of declaring part, or all, of the unauthorized transfer or usage to be void and demand that the unauthorized acts cease until such time as appropriate permits have been applied for and obtained, if available, and/or all appropriate fees and charges have been paid.

B. Coordination Between Permit and District Improvements. Prior to the District's completion of construction of all of the facility improvements, each permit issued is hereby expressly conditioned upon the following:

1. That the applicant assumes the risk of proceeding prior to completion of the District's facilities; and,
2. That every applicant for or person receiving a permit is to be informed in writing, by receipt of this Division, that he or she may not receive sanitary sewer service pursuant to that permit until such time as the District has completed construction of its facilities, despite the fact the applicant for or person has received that permit and proceeded to construct and complete whatever project for which that permit was issued.

C. Will-Serve Commitments and Permits.

1. Assurance of sanitary sewer service issued by the District to any person, developer, and/or corporation, shall be subject to the same conditions stated in Items A. and B. above-ordained.
2. Any assurance of sanitary sewer service issued by the District in any form, in addition to the conditions as ordained heretofore, shall also be issued on the provision that the assurance is given on the statement of facts on the date of that issuance, and that such facts may change subsequent to the date of the assurance.
3. Any permit or assurance of sanitary sewer service shall be issued on a first-come, first-served basis, and shall be valid only for two (2) years; any permit or assurance for service not utilized within the two (2) years shall automatically become void and thereafter a new application shall be filed with a new priority in order to obtain any further permit or assurance of service.
4. In order to keep a permit in full force and effect there shall be no abandonment or cessation of work at any time during the two (2) year period. A permit shall automatically become void if an occupancy certificate has not been obtained from Placer County within two (2) years after the initial date of issuance of a permit. No adverse weather or any other condition shall operate to extend the two (2) year period.
5. Annual sanitary sewer charges shall commence, shall be billed by the District, and shall be payable by the permittee or successor no later than twelve months following the issuance of any permit(s) or upon actual connection to the collection system whether through an existing lateral or to a sewer main, whichever occurs first. Payment of any fees, rates or charges of any type shall not validate a permit which has become void by reason of any other provision of this Division.
6. At the expiration of a permit, all such permit holders must reapply and shall become subject to the same conditions which apply to all new permits.

7. A letter of assurance for service availability for a single family residential unimproved lot or subdivision shall, in addition to all other terms and conditions required by District rules, regulations, and ordinances, provide that said letter does not unconditionally guarantee any priority or reservation of capacity but that the developer or subsequent purchaser must acquire a sewer permit prior to construction of any improvements. Said letter shall further provide that such permits will be issued by the District solely upon a first-come, first-served basis and only to the extent there is then remaining available capacity in the physical facilities for conveyance and treatment. The letter shall also indicate that such permits will be issued only upon payment of all then applicable fees and charges and in accordance with and subject to all then applicable District rules, regulations, and ordinances.

D. Developments - Timing and Conditions for Issuance of Permit. Notwithstanding any other Section of the District Code, no permit shall be issued for any development for which the County of Placer requires approval of a final subdivision map except upon the following conditions:

1. The application for issuance of a permit shall be accompanied by a certified copy of documentation from the County of Placer indicating the County's approval of a tentative map for the proposed development; and,
2. Any permits so issued shall automatically become void upon the expiration or invalidation of the tentative map, unless a valid final map has been approved and recorded in place thereof. This provision shall be in addition to any other Section of the District Code pertaining to the issuance, vesting or invalidation of permits.

Section 5.05. Application for Permit

Any person requiring a Permit shall make written application to the District Manager.

The District Manager shall provide printed application forms for the permits provided for by this Chapter, indicating thereon the information to be furnished by the applicant. The District Manager may require in addition to the information furnished by the printed form, any additional information from the applicant which will enable the District Manager to determine that the proposed work or use complies with the provisions of this Chapter.

Section 5.06. Renewal of Existing Permit

- A. A permittee who needs an additional period of time in which to complete the project for which a permit was issued may apply for a renewal of the existing permit and receive a credit of funds already paid subject to the provisions of this Section.
- B. To renew an existing permit, the permittee shall follow all District procedures applicable at the time of renewal to a person initially applying for a new permit including, but not limited to, the payment of all fees specified in Division VI.

- C. To be valid, the request for renewal shall be submitted in writing by the permittee and received by the District three months or less after the date of the permit's expiration.
- D. A permit shall not be eligible for renewal, and no credit of any funds paid shall be granted, if the request for the renewal or credit is not in writing or is received by the District more than three months after the date of the permit's expiration.
- E. A person receiving a renewal of an existing permit shall be entitled to a credit towards the cost of renewing the permit of a rate set by the District of the fees actually paid under the issuance of the original permit.
- F. A renewed permit shall be eligible for subsequent renewal only pursuant to a case-by-case review by the Board.
- G. Notwithstanding any other provision of this Code, to maintain the validity of a renewed permit and keep it in full force and effect, a person holding a renewed permit must complete all work authorized by the permit within three years of the date of issuance of the original permit subject to Board review and approval and comply with all other requirements of this Chapter.

Section 5.07. No Refunds

The District shall grant no refunds on any monies paid pursuant to Division VI, which pertains to securing a permit or paying a connection fee.

Section 5.08. Sewer Mains in Public Ways

Before granting any permit for the construction, installation, repair or removal of any sewer main or appurtenances thereto, which will necessitate any excavation of fill, in, upon, or under any public street, highway or right-of-way under the jurisdiction of another public agency, the District Manager shall require the applicant to obtain the encroachment permit required by the public agency.

Section 5.09. Plan Approval Required

No Permit shall be issued until the District Manager has checked and approved the plans in accordance with other applicable provisions of this Chapter.

Section 5.10. Pumping Plants

Before granting a permit for the construction of any sewage pumping plant, the District Manager shall check and approve the plans or required modification thereof as to their compliance with county, state, and other governmental laws or ordinances and shall require that the facilities be adequate in every respect for the use intended.

Section 5.11. Excessive Discharge of Sewage

Any person proposing to have sewage discharged from any property to a public sewer in quantities or at a rate greater than the capacity for which the public sewer was designed, when such additional quantity will immediately overload the public sewer, shall be denied a permit to connect any facilities to the public sewer which will discharge more than the proportionate share allotted to the property. However, if such additional discharge will not immediately but may in the future overload the public sewer, a conditional permit to connect to the public sewer may be issued after the owner of the property agrees by an agreement satisfactory to the District Manager recorded against the land to construct or to share in the cost of construction of additional public sewer capacity at such future time as the District Manager determines that an overload situation exists or is imminent. The owner of the property shall supply a faithful performance bond guaranteeing compliance with the terms of the agreement, in a penal sum which, in the opinion of the District Manager, equals the future cost of construction of public sewer facilities to carry such additional discharge.

The faithful performance bond shall be kept in full force and effect until such additional discharge is discontinued or until such additional public sewer facilities are completed, and this obligation shall pass to succeeding owners of the property.

If any owner fails to supply and keep in effect the required faithful performance bond or fails to comply with the terms of the covenant, the conditional permit allowing such additional discharge may be revoked, and the continuing of such additional discharge thereafter will constitute a violation of this Chapter.

The provisions of this Section shall also apply to any property previously connected to a public sewer, the discharge from which is later proposed to be increased or is found to have been increased substantially beyond the proportionate share of public sewer capacity allotted to the property.

Section 5.12. Pre-Plan Check Policy

Prior to the issuance of a permit, the permittee shall submit two (2) sets of plans to the District for pre-plan check. The plans shall be checked for compliance with all District specifications, rules, and regulations. Prior to the District performing the pre-plan check, the applicant shall pay a fee to the District as specified in Division VI of this Code. Such pre-plan check is not an assurance of sanitary sewer service nor a sewer permit for the particular project. The submittal of plans and/or documents for pre-plan check shall not constitute nor be considered an application for a sewer permit.

Section 5.13. Variance

Any consumer may obtain a variance from any provision of this Chapter pursuant to an application and public hearing before the Board of Directors of the District which application and variance is approved by a 4/5's vote of the members of the Board.